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ABSTRACT

This handbook provides guidelines for the operation of local special education programs for Alaskan children with disabilities. It addresses: (1) the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 and basic concepts of special education; (2) identification of students with disabilities, referral, screening programs, and regular education intervention; (3) evaluation and eligibility for special education services; (4) development of the Individualized Education Program (IEP), participants in IEP meetings, guidelines on IEP preparation, content of the IEP, transition, assistive technology devices, charter schools, correspondence schools, private schools, juvenile and adult correctional facilities, review of the IEP, and IEPs for children from infant/toddler programs; (5) placement in the least restrictive environment; (6) program exit and graduation requirements; (7) procedural safeguards and confidentiality; (8) personnel and personnel development; (9) special education state and federal funding; and (10) compliance monitoring and maintaining student records. Appendices include forms for reporting federal data, child identification forms, evaluation and eligibility forms, IEP and placement forms, procedural safeguards and confidentiality forms, personnel forms, sample transition plans, assistive technology information, information on classroom accommodations, and forms for functional behavioral assessments and behavioral intervention plans. A glossary is also included, along with a list of relevant resources. (CR)

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ALASKA SPECIAL EDUCATION HANDBOOK

ED 448 564

Alaska Department of Education & Early Development

EC308179

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TABLE OF CONTENTS

- Preface
- Disclaimer
- Acknowledgments

PART I - INTRODUCTION

Sections

1. The IDEA Amendments of 1997
2. Organization of Handbook
3. Basic Concepts

PART II - IDENTIFICATION

Sections

1. Introduction
2. Child Identification Coordination
3. Annual Public Notice
4. Referrals
5. Screening Programs
6. Regular Education Intervention

PART III - EVALUATION & ELIGIBILITY

Sections

1. Purpose of an Evaluation
2. Initial Evaluation
3. Parental Consent
4. Information from Other Agencies
5. Evaluation Procedures
6. Reevaluation Procedures
7. Evaluation Summary and Eligibility Report
8. Eligibility Criteria for Disability Categories

PART IV - IEP DEVELOPMENT, IMPLEMENTATION, REVIEW, & REVISION

Sections

1. Overview
2. Responsibility for Development and Implementation of the IEP
3. When an IEP Meeting Must Be Convened
4. Participants in IEP Meetings
5. Parent Participation
6. When an IEP Must Be in Effect
7. Guidelines on IEP Preparation
8. Content of the IEP
9. Proper Functioning of Hearing Aids
10. Physical Education & Vocational Education on the IEP
11. Student Discipline
12. Extended School Year
13. Secondary Transition
14. Assistive Technology Devices & Assistive Technology Services
15. Parent/District Disagreement with an IEP
16. Charter Schools
17. Correspondence Schools
18. Private Schools
19. Juvenile & Adult Correctional Facilities
20. Review/Revision of IEP
21. IEPs for Children from Infant/Toddler Programs

PART V - PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT

Sections

1. Introduction
2. Responsibility for Placement
3. General Placement Procedures
4. Continuum of Alternative Placements

5. Justification for Placement
6. Consent for Initial Placement in Special Education
7. Annual Determination of Educational Placement
8. Least Restrictive Environment Requirements in Private Schools

PART VI - PROGRAM EXIT

Sections

1. Discontinuation of Services
2. Graduation Requirements for Students With Disabilities

PART VII - PROCEDURAL SAFEGUARDS AND CONFIDENTIALITY

Sections

1. Parent Rights
2. Transfer of Rights at Age of Majority
3. Written Notice/Parental Consent
4. Mediation
5. Impartial Due Process Hearings
6. Surrogate Parents
7. Independent Evaluations
8. Complaint Procedure
9. Confidentiality of Information

PART VIII - PERSONNEL

Sections

1. Teachers
2. Related Service Providers
3. Pre-school Teachers
4. Special Education Administrators
5. Paraeducators
6. Interpreters for the Deaf
7. Personnel Development

PART IX - FUNDING

Sections

1. State Public School Foundation Funding
2. Special Education Transportation Funding
3. Federal Special Education Funding
4. Special Education Service Agency (SESA)

PART X - COMPLIANCE MONITORING

Sections

1. Information Needed Prior to Review
2. Maintaining Student Records
3. File Components Form
4. Monitoring Checklist

APPENDICES

Appendix A - Miscellaneous Forms

1. Reporting Federal Data

Appendix B. - Child Identification Forms

1. Model Child Find Plan
2. Annual Child Find Training Outline
3. Sample List of Community Agencies
4. Sample Child Find
5. Referral

Appendix C - Evaluation and Eligibility Forms

1. Consent for Evaluation
2. Authorization to Obtain Information
3. Evaluation Summary and Eligibility Report
4. Alaska Language Categories

Appendix D - IEP and Placement Forms

1. Instructions for Completing IEP
2. IEP
3. IEP Amendment
4. Written Invitation to IEP Meeting
5. Written Student Invitation to IEP/Transition Planning Meeting
6. Telephone Invitation to IEP Meeting
7. Consent for Initial Placement
8. Letter to Request Records for a Transfer Student
9. Letter to Notify of Transfer of Rights
10. Sample Progress Reports
11. Program Exit
12. Alaska State Standards

Appendix E - Procedural Safeguards and Confidentiality Forms

1. Prior Written Notice
2. Prior Written Notice, Informed Consent, and Notice of Procedural Safeguards Table and Explanation
3. Notice of Procedural Safeguards
4. Model Surrogate Parent Plan
    - Surrogate Invitation
    - Surrogate List
    - Training Session Agenda
    - Notice of Appointment
    - Notice of End of Appointment
5. Record of Access
6. Authorization for Release of Confidential Information
7. Letter of Intent to Destroy Special Education Records

Appendix F - Personnel Forms

1. Documentation of Training for Paraeducators
2. Early Childhood Education Requirements
3. Personnel Development Plan
4. Recommended Guidelines for Related Service Providers

Appendix G - Secondary Transition
1. Sample Transition Plans
2. Sample Person Centered Plans

Appendix H - Assistive Technology
Common Areas of Assistive Technology Application

Appendix I - Classroom Accommodations
1. IDEA/504 Flow Chart
2. Student Accommodation Plan
3. Information Regarding Section 504
4. Classroom and Facility Accommodations

Appendix J – Behavioral Interventions and Discipline
1. Definition of "Weapons" and "Controlled Substances"
2. Behavioral Interventions and Discipline
3. Intervention Strategies
4. Forms for Functional Behavioral Assessments and Behavioral Intervention Plans

GLOSSARY OF COMMONLY USED TERMS

RESOURCE LISTING

STATE OFFICE of SPECIAL EDUCATION PROGRAMS

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PREFACE

Purpose of the Handbook

This handbook provides guidelines for the operation of local special education programs for children with disabilities. Because it is a guideline and not a regulatory document, specific federal and state citations are not listed. However, all federal and state statutes, regulations, and policies that impact children with special needs are addressed in the handbook.

Use of the Handbook for District Application for Federal Funds

In order to receive federal special education funds, a district must submit yearly updates. The application must describe the procedures for complying with federal and state requirements for serving children with disabilities. The Alaska Special Education Handbook for Serving Children with Disabilities contains the procedures for complying with federal and state requirements for a local application. A district may choose to adopt the entire handbook; it may adopt parts of the handbook and develop procedures for those parts of the handbook not adopted; or it may choose not to adopt any portion of the handbook and develop its own procedures. However, a district must have procedures that are in compliance with federal and state requirements. Consequently, if a district chooses not to adopt a procedure required by the handbook, an alternative procedure **must** be approved by the department.

Handbook Revisions

The handbook is a dynamic document. As changes in special education requirements, policy or practice, occur, revisions will be made in the handbook. We would appreciate knowing of any errors found in the handbook, as well as any suggestions for improvement. When noting errors or making suggestions, please send a copy of the pages with the suggested corrections to the Department of Education and Early Development; Special Education Programs.

DISCLAIMER

This document was developed by the Alaska State Department of Education and Early Development, Office of Special Education Programs, Juneau, Alaska. The opinions expressed herein do not necessarily reflect the position of the United States Department of Education and no endorsement of the United States Department of Education should be inferred.

This document is provided as a guide for the provision of special education and related services. If any portion of this document conflicts with law or regulation, the law or regulation takes precedence.

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The following materials were used extensively in the formulation of the handbook:

- Oregon Department of Education Procedural Safeguards Handbook
- Idaho Interim Special Education Handbook, 1997
- J. Storms, E. Oleary, & J. Williams (1999). The Individuals with Disabilities Education Act of 1997: Transition Services Requirements: A Guide for States, Districts, Schools, Universities, & Families.

PART I

INTRODUCTION

Sections

1. The IDEA Amendments of 1997
2. Organization of Handbook
3. Basic Concepts

SECTION 1. THE IDEA AMENDMENTS OF 1997

The reauthorization of the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 (hereafter referred to as the IDEA 97) focused on four major areas:

- Enhanced parent participation.
- Student progress in the general education curriculum.
- Measurable progress and greater accountability for student goals and objectives.
- The importance of school safety.

The handbook incorporates the changes outlined in the IDEA 97 (PL 105-17) and the corresponding regulations (34 CFR Parts 300 and 303). Important dates to remember are:

• June 4, 1997	The IDEA 97 was enacted.
• July 1, 1998	IEPs developed, reviewed, or revised on or after this date must comply with new IDEA provisions.
• May 11, 1999	The IDEA 97 federal regulations became effective.
• July 19, 1999	Compliance with all of the IDEA 97 regulations required, as this is when Alaska received funds appropriated for Federal Fiscal Year 1999 under Part B of the IDEA 97.

SECTION 2. ORGANIZATION OF HANDBOOK

The handbook is organized into the following ten parts:

Part	I	Introduction
Part	II	Identification
Part	III	Evaluation and Eligibility
Part	IV	IEP Development/Implementation/Review/Revision
Part	V	Placement in the Least Restrictive Environment
Part	V	Program Exit
Part	VII	Procedural Safeguards and Confidentiality
Part	VIII	Personnel
Part	IX	Funding

Part X Compliance Monitoring

A glossary of commonly used terms and a resource list have also been included.

SECTION 3. BASIC CONCEPTS

Districts must provide special education and related services to eligible children with disabilities beginning at age 3 and continuing through age 21 (a student who is age 21 on the first day of the school year is entitled to FAPE for the entire year even if his/her 22nd birthday occurs during the school year).

The following concepts form the foundation of special education services and will be discussed in the remainder of this section: Free Appropriate Public Education (FAPE), Least Restrictive Environment (LRE), Disability, Special Education, and Related Services.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

The concept of FAPE means regular and special education and related services that:

- Are provided without charge to the parent - FREE;
- Are provided in conformity with an appropriately developed Individualized Education Program (IEP) - APPROPRIATE;
- Are provided at public expense, under public supervision and direction - PUBLIC; and
- Include pre-school, elementary school, and secondary school education that meet the education standards, regulations, and administrative policies and procedures issued by the State Education Agency – EDUCATION.

FAPE must be provided to the following children:

1. Those who are disabled (as defined later in this section).
2. Those who are age 3 through 21 and who have not graduated with a regular high school diploma.
3. Those who reside within the district's jurisdiction regardless of the residence of the child's parents (see Part IV, Section 2 - Responsibility for Development and Implementation of IEP).

Note: Districts operating a statewide correspondence program (who enroll children from outside their district) are responsible to assure that FAPE is provided to students enrolled in their program.

4. Those who are placed in an out-of-state educational setting by the district or another state agency.

   Note: FAPE is required for a child with a disability who needs special education and related services, even though the child is advancing from grade to grade.

To provide FAPE, the IEP must address all of the child's identified special education and related services needs. The needed services and placement must be based on the child's unique needs and not on the child's disability.

FAPE for Students Suspended or Expelled

1. FAPE for students suspended or expelled for 10 days or less in a school year
   - No services are required if services are not provided to a student without disabilities who has been similarly removed.
2. Students removed for more than 10 days in a school year
   - Provide services to enable the student to progress in the general curriculum and advance toward achieving his/her IEP goals (see Part IV, Section 11, Student Discipline).

FAPE for Students in Adult Correctional Facilities

Students, aged 18-21 years in adult correctional facilities are entitled to services if

1. The student received services under an IEP, in their last educational setting even if the student left school prior to his/her incarceration; or
2. The student did not have an IEP in their last educational setting, but had been identified as a child with a disability.

Exceptions to Provision of FAPE

1. Students graduating with a regular high school diploma are no longer entitled to FAPE.

2. No services are required for students 18-21 years old in adult correctional facilities if, in the last educational placement prior to their incarceration in an adult correctional facility,
    - The student was not previously identified as a child with a disability, and,
    - The student did not have an IEP.

LEAST RESTRICTIVE ENVIRONMENT (LRE)

The IDEA 97 states that, to the maximum extent appropriate, students with disabilities are to be educated with students who are not disabled. This concept is known as the least restrictive environment (LRE). The IEP must contain an explanation of the extent, if any, to which the student will not participate in the general education classroom and curriculum, and extracurricular, or other nonacademic activities (Part V of the Handbook contains more detailed information).

DISABILITY

Two federal laws protect children with disabilities: the Individuals with Disabilities Education Act (IDEA 97), and Section 504 of the Vocational Rehabilitation Act of 1973. The IDEA 97 and Section 504 are administered by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). However, the authority for compliance with the two laws lies within two different divisions of OSERS.

The authority for ensuring compliance with the IDEA 97 falls under the auspices of the Office of Special Education Programs (OSEP). The IDEA 97 also gives responsibilities for ensuring compliance with the IDEA 97 directly to the States. The authority for ensuring compliance with Section 504 lies with the Office of Civil Rights (OCR). Both these laws are binding on school districts.

The IDEA 97

Under the IDEA 97, children with disabilities are those who meet the following three criteria:

1. The child has a physical or mental disability as defined in Part III (Specific eligibility criteria for the various disability categories are discussed in Part III, Section 8).

2. The presence of such physical or mental disability adversely affects the educational performance of the child.
3. Because of such physical or mental disability the child is in need of special education and related services.

Section 504

Section 504 defines disabled as:

> "Any person who has a physical or mental disability which substantially limits a major life activity or has a record of such disability or is regarded as having such a disability."

If a child is disabled under the IDEA 97, the child will qualify as disabled under Section 504, since education is a major life activity (see Appendix I for more information on Section 504 and a sample Student Accommodation Plan). It is possible for a child qualified under Section 504 not to be eligible under the IDEA 97. Furthermore, it is possible for a child with a disability not to qualify as disabled under either program. Examples of these situations follow:

1. A child who attends the regular school program has AIDS. This condition is not considered a disability under the IDEA 97, but may be under Section 504.
2. A child who uses a wheelchair requires a ramp or elevator to get to classes in a school building. Once she is provided access, her educational performance is not adversely affected. Consequently, she does not require special education, although she would be considered disabled under Section 504.
3. Some children have a disability, such as mild cerebral palsy, which requires no special accessibility adaptations or special education and which does not substantially limit one or more of life's major activities. These children would not qualify as disabled under Section 504 or the IDEA 97.

SPECIAL EDUCATION

Special Education means the specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability. Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the child and to ensure access of the child to the general curriculum. Special education is a service, not a place.

Special education includes

1. Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings.
2. Instruction in physical education.
3. Speech-language pathology services, or any other related service.
4. Travel training.
5. Vocational education

In keeping with the criteria set forth previously, the child must be determined, through the evaluation process, to have a disability and be in need of special education. When a child meets both these criteria the IEP Team must identify the specific services that will comprise the special education program.

RELATED SERVICES

Related services means those supportive services that are required to assist a child with disabilities to benefit from special education. If a child does not need special education, there can be no related services provided under an IEP since a related service must be necessary for a child to benefit from special education.

A related service such as speech therapy, physical therapy or occupational therapy by itself may qualify as special education. In this case the service must be required for the student to learn a desired skill and must involve specially designed instruction.

A child covered by Section 504 may be entitled to related services even if they are not in need of special education. Section 504 calls for the provision of regular or special education or the provision of related services.

Services commonly listed as related services include: transportation; speech language pathology and audiology services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; diagnostic and evaluative medical services; school health services; social work services; and parent counseling and training. Assistive technology services and transition services may also be related services (see glossary for definitions of these related services).

A service may be a benefit to a child, but this does not automatically qualify it as a related service. There are services that may be of benefit to a child with disabilities, but may not be the responsibility of the district to provide because the services are not required for a child to benefit from special education. For example, a student with a speech impairment that does not adversely affect his educational performance would not require special education services.

PART II

IDENTIFICATION

Sections

1. Introduction
2. Child Find Coordination
3. Annual Public Notice
4. Referrals
5. Screening Programs
6. Regular Education Intervention

SECTION 1. INTRODUCTION

There are two phases involved in establishing that a child has a disability and requires special education. The first phase is **identification**. The second phase is **evaluation**.

Identification requires the least amount of effort and time necessary for appropriately identifying children who need to be evaluated. **Evaluation** must be as extensive as necessary to determine whether a child is eligible for special education and to develop a comprehensive special education program. This part of the handbook addresses the components of the Identification Process; Part III covers the Evaluation and Eligibility process.

Each district must establish and implement an ongoing system to identify and locate children, birth through 21 years of age, suspected of having a disability who reside within the district. This includes highly mobile children, such as migrant or homeless children, and children suspected of having a disability, even though they are advancing from grade to grade. This system must include children who are enrolled in public schools, including charter schools and correspondence programs; private or parochial schools; and educational programs in correctional facilities in the district.

The Department of Health and Social Services (DHSS) conducts Child Find activities for children from birth through 3 years of age. Districts are strongly encouraged to coordinate and collaborate with their local infant learning program in Child Find activities and to establish interagency agreements outlining each agency's responsibilities in relation to Child Find.

The components and procedures of the system must be detailed in a written Child Find Plan. The basic components to be addressed in the plan are

1. Identification of Child Find Coordinator
2. Coordination of child find activities
3. Annual public notice
4. Referrals
5. Screening

Each of these components is discussed in more detail below. A model Child Find Plan can be found in Appendix B.

SECTION 1. CHILD FIND COORDINATION

The district should appoint a Child Find Coordinator who coordinates the development, revision, implementation, and documentation of the Child Find system. In smaller districts this responsibility may remain with the Director of Special Education. Required procedural safeguards must ensure that students' rights to privacy and education are protected.

SECTION 2. ANNUAL PUBLIC NOTICE

Annual public notice must be given to inform the community about the right to, and availability of, educational services for children with disabilities. This includes highly mobile children, such as migrant and homeless children, and students in juvenile detention centers and adult correctional facilities. The notice must be calculated to reach all persons within the district and may include dissemination of information through public meetings, posters, brochures, newspapers, radio, television, and presentations to community groups and agencies.

The content of the public notice should include at least the following information:

1. The types of disabilities that qualify as a disabling condition.
2. The educational needs of children with disabilities.
3. The rights of children with disabilities (FAPE).
4. The services available to children with disabilities.
5. Confidentiality protections.
6. Who to contact in the district (e.g. Child Find Coordinator) and how to get in touch with that person.

The public notice must be disseminated on an annual basis and be provided in each language for which a bilingual program is required in the district. Additionally, the district must maintain a yearly record of its techniques to ensure public awareness (e.g., clippings from newspapers, copies of brochures and letters).

SECTION 3. REFERRALS

A procedure must be established to receive referrals of children suspected of having a disability. Referrals must be acted on without undue delay. The district must inform parents, interested agencies, and school personnel of the referral procedures. All referrals should be made on a standard referral form (see sample in Appendix B) and routed to the

Child Find Coordinator. The Child Find Coordinator may need to provide assistance in filling out the form to the person making the referral, such as a parent, teacher, or agency representative. After the referral is made, the Child Find Coordinator should gather information about the child available in school records, (e.g. health history, family history, previous evaluations, records of past school performance).

The Child Find Coordinator should also review each referral to determine its appropriateness. For example, a referral to special education only because a student is pregnant would not be an appropriate referral. If a parent-initiated referral is deemed to be inappropriate, (that is, the district does not believe a special education referral is warranted) parents must receive a written notice stating the reasons for the district's refusal and a copy of the procedural safeguards notice.

Upon determination of an appropriate referral, the Child Find Coordinator shall provide "prior written notice" to the child's parents (see Part VII, Section 3 and Appendix E) and alert the Director of Special Education of the need to assign an Evaluation Coordinator to oversee the required evaluation.

Note: It is the responsibility of the district's Child Find Coordinator to coordinate with local infant learning programs about children eligible for special education preschool services to ensure that these services are in place by the child's 3rd birthday.

SECTION 4. SCREENING PROGRAMS

A district must establish and implement written procedures for screening all children in the district ages 3 through 21. Screening programs are intended to efficiently collect some objective information in a few critical areas to complement any existing subjective information. Suggested screening guidelines are provided as part of the model Child Find Plan in Appendix B.

Each child must receive a physical examination when the child enters school, and thereafter at regular intervals considered advisable by the district. Vision and hearing screening must also be given to each child when entering school and at intervals specified by the district. Beginning in the 1999 school year, districts are also required to complete a "Developmental Profile" on each entering kindergartner that includes developmental information on physical well-being and motor development, language and literacy development, personal and social development, thinking and cognitive development, and child background. Other required screenings may be conducted in cooperation with other agencies.

SECTION 5. REGULAR EDUCATION INTERVENTION

The rationale for systematic regular education intervention is to identify problems early and prevent them from becoming major problems. Successful regular education interventions can avoid entering a student into the special education process, as well as the stigma and "labeling" often associated with receiving special education. However, regular education intervention activities must not be instituted to divert or delay a referral to special education.

One type of regular education intervention support is to share effective interventions with parents and teachers. A second type of regular education intervention is more formalized might involve (1) specific support to parents and/or classroom teachers from school personnel, (2) documentation of specific interventions tried, and (3) formative measures of student progress in areas of difficulty.

The support from school personnel may come from an IEP Team, school psychologists, special education consulting teachers, principals, district curriculum consultants, or some combination of available support services. The interventions may involve curriculum adaptations; social skills training implemented in the home and/or classroom; cooperative learning activities; changes in classroom organization; and changes in the teaching techniques, school placement, or schedule (refer to Appendix I for examples of accommodations and intervention activities). It is recommended that the school inform the child's parents of the regular education interventions being implemented.

The formative evaluation data collected and recorded will indicate the effectiveness of various interventions. If the child is referred for an individual evaluation, this regular education intervention information will provide additional data to determine areas of need and to make recommendations.

PART III

EVALUATION & ELIGIBILITY

Sections

1. Purpose of an Evaluation
2. Initial Evaluation
3. Parental Consent
4. Information from Other Agencies
5. Evaluation Procedures
6. Reevaluation Procedures
7. Evaluation Summary & Eligibility Report
8. Eligibility Criteria for Disability Categories

SECTION 1. PURPOSE OF AN EVALUATION

The purpose of conducting an evaluation is to 1) gather information to determine whether a child has a disability and is eligible for special education, and 2) determine the nature and extent of the special education and related services that the child needs. All evaluation procedures must be provided at no expense to the parent.

SECTION 2. INITIAL EVALUATION

Before a child may be evaluated, the district must notify the parents in writing. This notice must describe any evaluation procedure that the district proposes to use. Parents must give their informed consent before their child may be evaluated. See Section 3 of this chapter regarding consent.

Review of Existing Data

As part of an initial evaluation, the IEP Team and other qualified professionals examine evaluation data already available on the child. Examples of data that may be examined include:

- Information and evaluations provided by the child's parents.
- Current classroom-based assessments, interventions, and observations.
- Teacher or related service providers' observations.
- Classroom work samples.
- Behavioral observations and assessments.

On the basis of that review, the team identifies what additional information, if any, is needed to determine:

1. Whether the child has a particular category of disability.
2. The child's present levels of performance and educational needs.
3. Whether the child needs special education and related services.
4. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate, as appropriate, in the general curriculum.

Note: The IEP Team that determines if additional evaluation data are needed may conduct the review without a meeting. Parental consent is not required before reviewing existing data as part of an evaluation or administering a test/evaluation that is given to all children (unless consent is required of parents of all children).

Determination Than No Additional Data are Needed

If the IEP Team and other qualified professionals, as appropriate, find that enough evaluation data exist to make the above determinations, then no additional evaluations are needed. In all instances, parents have the opportunity to be part of the team that makes that determination. Therefore, no parental consent is necessary if no additional data are needed to conduct the evaluation or reevaluation.

Determination That Additional Data Are Needed

If the IEP Team and, as appropriate, other qualified professionals conclude that not enough data exist to make the above determinations, the district must administer the necessary tests and evaluations to produce the needed data.

SECTION 3. PARENTAL CONSENT

The following parental consents are required as initial steps in the evaluation process.

1. The parents' signature indicating consent to conduct the initial evaluation must be received before any evaluation can be conducted. **Only a parent, a guardian, a person acting as a parent, or a surrogate parent can provide consent for initial evaluations.**

   Note: When a child is determined eligible for special education services, the IEP must be implemented within 45 school days of receiving parental consent for the initial evaluation.

2. The parent's signature indicating consent to release information must be received in order for non-educational agencies to release information.

Parental consent is necessary when any assessment instrument is administered as part of an evaluation or reevaluation. However, districts are not required to obtain parental consent for teacher and related service provider observations, on-going classroom evaluation, or the administration of, or review of, the results of adapted or modified assessments that are administered to all children in a class, grade, or school.

Parental consent for evaluation should not be construed as consent for placement or receipt of special education and related services.

Parent Refuses Consent for Initial Evaluation

If a parent refuses consent for an initial evaluation, the child cannot be evaluated. If the district believes an evaluation is warranted, the district may request mediation or a due process hearing. If the mediation results in parental consent to evaluate, or a hearing officer decision indicates that testing is appropriate and the parent does not appeal, then the child may be tested.

Consent

Consent means:

1. That the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought.
2. The parent understands and agrees in writing (the parent's signature) to carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists any records that will be released and to whom.
3. The parent understands that the granting of consent is voluntary and may be revoked prior to the action requiring consent transpiring.

(See Appendix C for a sample Consent for Initial Evaluation form.)

Revoking Consent for an Initial Evaluation

A parent who has provided consent for an initial evaluation may revoke that consent prior to the evaluation occurring. However, once the evaluation has been completed, a parent may not revoke consent to revert the child to a previous status, or to have the evaluation disregarded.

SECTION 4. INFORMATION FROM OTHER AGENCIES

Upon receipt of parental consent, if appropriate, letters requesting information may be sent to individuals and agencies who have had contact with the child (inclusion of a stamped self-addressed envelopes will facilitate a timely response.). A copy of the signed consent form should be included with the letters and retained in the child's confidential file (see Appendix C for Authorization to Obtain Information form). Sources of this additional information may include:

1. Records from health and social service agencies.
2. Records from pre-school programs.

3. Records from legal service agencies.
4. Records from non-school professionals (e.g., physicians, social workers, and psychologists).

Federal laws and regulations do not require parental consent for the district to request information from other districts that the child has attended or in which the child intends to enroll.

SECTION 5. EVALUATION PROCEDURES

A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent. This information is used by the IEP Team to determine whether the child has a disability, the child's present levels of performance and educational needs, and, if eligible for special education and related services, the content of the child's IEP. The information is also used to determine whether modifications are needed to enable the child to achieve his or her annual IEP goals, and to participate in the general curriculum. For preschool children, this information is used to help them participate in age appropriate activities.

Evaluation Procedures

All evaluations must include the following procedures:

1. A child must be evaluated in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional functioning, general intelligence, academic performance, communicative status, and motor abilities. In addition, the evaluation must be sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not they are commonly linked to the disability category in which the child is classified.
2. No single assessment procedure may be used as the sole criterion for determining whether a child has a disability and for determining an appropriate educational program for the child.
3. Evaluation materials must be technically sound and may assess the relative contribution of cognitive and behavioral factors, in addition to physical and developmental factors.

4. Evaluation materials and procedures must be appropriate to determine the nature and extent of a learning impairment and directly assist in identifying areas of educational need.

5. Evaluation materials and procedures must be validated for the specific purpose for which they are to be used.

6. Evaluation of a child who may have limited English proficiency should assess the child's proficiency in English as well as the child's native language to distinguish language proficiency from disability needs (see Appendix C for the Alaska Language Categories).

7. Evaluation materials and procedures used to assess a child with limited English proficiency must be selected and administered to ensure they measure a potential disability and need for special education, rather than English language skills.

8. Evaluation materials and procedures must be in the child's native language or other mode of communication unless it is not feasible to do so.

   a. The native language of the child is that language normally used by the child in the home/learning environment.

   b. For individuals with deafness/blindness/no written language, it is the mode of communication normally used, e.g., sign language, Braille, or oral communication.

   c. A determination of "not feasible" is made when an individual after reasonable effort cannot be located who is capable and willing at a reasonable cost to:

      - Communicate in the child's primary language; or
      - Communicate in the child's most frequent mode of communication

   d. If a district determines that it is "not feasible" to conduct the evaluation in the child's primary language or other mode of communication, the district must document its reasons and describe the alternatives used. Even in situations where it is not feasible to assess the child in his or her native language or mode of communication, the IEP Team must still obtain and consider accurate and reliable information that will enable them to make an informed decision as to whether the child has a disability and the effects of the disability on the child's educational achievement.

9. Evaluation materials and procedures must be administered in adherence with the developer's instructions and by appropriately trained personnel. If an assessment is not conducted under standard conditions (e.g., qualifications of

test administrator or method of test administration), this must be noted in the evaluation report.

10. All materials and procedures used for assessing and identifying children with disabilities must be selected and administered so as not to be biased in terms of race, gender, culture or socioeconomic status.
11. Tests must be selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
12. Tests and other evaluation materials include those tailored to assess specific areas of educational need (including current classroom-based assessments and observations of the teacher and related service providers), and not merely those that are designed to provide a single general intelligence quotient.
13. Information obtained from all of these sources, including evaluations and information provided by the parent, must be documented and carefully considered.
14. A child shall not be determined to have a disability if the determinant factor for such a determination is lack of instruction in reading or math, or limited English proficiency.

Note: The presence of a disability is not sufficient to establish eligibility for special education. The disability must result in an educational deficit that requires specially designed instruction (i.e., special education).

SECTION 6. REEVALUATION PROCEDURES

The district must ensure that a reevaluation of each child with a disability is conducted every 3 years, or more frequently if conditions warrant, or if the child's parent or teacher makes a reasonable request for such an individual evaluation. "Conditions warrant" means when there is sufficient information to suspect that a significant change in a child's educational functioning is occurring that may necessitate change in the child's educational program.

A reevaluation refers to any evaluation that is conducted after a student has been determined eligible for special education. Once a child has been evaluated the first time and a decision has been made that the child is eligible, any subsequent evaluation would constitute a reevaluation. All reevaluation procedures must be provided at no expense to the parents.

For a child whose eligibility category is preschool developmental delay, re-evaluation by the IEP Team and other qualified professionals is required before the child's 6th birthday. The reevaluation will determine whether the child continues to be eligible for special education and related services.

Reevaluation is not required before the termination of a student's eligibility for special education services due to graduation with a regular high school diploma or exceeding the age eligibility for FAPE (21 years). However, either of these events constitutes a "change of placement" requiring notice a reasonable time before the district proposes to graduate the student.

Consent for Reevaluation

Prior written notice must be provided and parental consent obtained prior to reevaluation if additional data/information are required. A single form that meets the requirements of consent and notice may be used. If the parent fails to respond to reasonable measures taken by the district to obtain consent, the school may proceed with the reevaluation. Districts must document the measures it took to obtain consent.

As noted above, parental consent is not required before reviewing existing data as part of the reevaluation or administering a test that is given to all children (unless consent is required of parents of all children). Therefore, no parental consent is necessary if no additional data are needed to conduct a reevaluation.

IEP Team Responsibilities

Prior to any reevaluation of a student,

1. The IEP Team and other qualified professionals will determine the nature and extent of the evaluation by reviewing existing data on the child. Data may include, for example, evaluations and information provided by the parent, current classroom-based assessments and observations, and teacher and related service providers' observations.
2. On the basis of its review of existing data, and input from the child's parents, the IEP Team will determine what additional data, if any, are needed to determine:

- Whether the child continues to have a disability.
- The present levels of performance and educational needs of the child.
- Whether the child continues to need special education and related services.
- Whether any additions or modifications to the special education and related services are needed to enable the child to meet the IEP goals and to participate in the general curriculum.

3. If the IEP Team determines that additional formalized assessment is not required, the district must provide prior written notice to the parents of that determination and the reason for the determination. The district must also inform the parent of his or her right to request further assessment to determine whether the child continues to have a disability.
4. Based on recommendations from the IEP Team, the district will seek parental consent and administer the needed assessments.
5. Upon completion of the assessments, the IEP Team will complete an Evaluation Summary and Eligibility Report and provide a copy of the report to the parent.

SECTION 7. EVALUATION SUMMARY & ELIGIBILITY REPORT

Upon completion of the administration of tests and other evaluation materials, a determination of whether the student is eligible for special education services shall be made by the IEP Team that includes the parents of the child and other qualified professionals. A written evaluation/eligibility report must be prepared to document that a child is eligible for special education. The report must summarize the information from all the evaluations. A copy of the report must be given to the parent.

To the extent feasible, the results of evaluations should be provided to parents and appropriate school personnel before any meeting to discuss identification, evaluation, placement, or FAPE .

The Evaluation Summary & Eligibility Report should include at least the following information: (see Appendix C for sample Evaluation Summary & Eligibility Report.)

1. The date of the report (for an initial evaluation, this date represents the date the child is determined eligible for special education).
2. The name, birthdate, and gender of the child.
3. The dates the evaluations were conducted.

4. A list of the members of the IEP Team and other qualified professionals.
5. The signature of each team member.
6. A description of the child's current levels of educational performance.
7. A description of environmental, cultural, or economic factors, if appropriate (required for learning disabilities; should be considered for emotional disturbance, mental retardation, and speech impaired).
8. The disability category, and a statement of whether the child requires special education and related services.
9. Dissenting opinions, if any.

Note: If a parent disagrees with the district evaluation, the parent has the right to an independent educational evaluation (see Part VII, Section 7).

SECTION 8. ELIGIBILITY CRITERIA FOR DISABILITY CATEGORIES

Listed below are the criteria for the 14 disability categories that must be used to determine whether a child demonstrates a disability and is in need of special education and related services. The presence of a disability is not sufficient to establish eligibility for special education. The disability must result in an educational deficit that requires specially designed instruction (i.e. special education).

1. **Autism**

To be eligible for special education and related services as a child with autism, a child must:

(a) exhibit a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age three, that adversely affects educational performance; and

(b) require special facilities, equipment, or methods to make the child's educational program effective; and

(c) be diagnosed as autistic by a psychologist; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

(e) Characteristics of autism include:

- irregularities and impairments in communication.
- engagement in repetitive activities and stereotyped movements.

- resistance to environmental change or change in daily routines.
- unusual responses to sensory experiences.

Note: A child who manifests the above characteristics after age 3 could be diagnosed as having autism.

2. Deafness

To be eligible for special education and related services as a child with deafness, a child must:

(a) exhibit a hearing impairment that hinders the child's ability to process linguistic information through hearing, with or without amplification; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician or audiologist as deaf; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

3. Deaf-Blindness

To be eligible for special education and related services as a child with deaf-blindness, a child must:

(a) exhibit concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that the child cannot be accommodated in a special education program solely for deaf or blind children; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by an optometrist or ophthalmologist and by a physician or audiologist, as appropriate, as deaf-blind; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

4. Emotional Disturbance

To be eligible for special education and related services as a child with emotional disturbance, a child must:

(a) exhibit one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance:

- an inability to learn that cannot be explained by intellectual, sensory, or health factors;
- an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- inappropriate types of behavior or feelings under normal circumstances;
- a generally pervasive mood of unhappiness or depression; or
- a tendency to develop physical symptoms of fears associated with personal or school problems.

(b) require special facilities, equipment or methods to make his or her educational program effective; and

(c) be diagnosed as emotionally disturbed by a psychiatrist or psychologist; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

Note: The term includes children who are schizophrenic but does not include children who are socially maladjusted (see Glossary). It is important to distinguish children with ED from children with other behavior problems. Information in Appendix J provides some suggested clarification of terminology to assist in making these distinctions.

5. Hearing Impairment

To be eligible for special education and related services as a child with a hearing impairment, a child must:

(a) exhibit a hearing impairment that adversely affects educational performance but which is not within the meaning of deaf; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician or audiologist as hard of hearing; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

6. Specific Learning Disability

To be eligible for special education and related services as a child with a learning disability, all of the following six components must be addressed:

(a) The child must exhibit a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

The term **specific learning disability**:

- includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
- does not include children who have learning problems that are primarily the result of a visual disability; motor disability; hearing disability; mental retardation; emotional disturbance; environmental, cultural or economic disadvantage; or lack of attendance.

(b) The IEP Team must show that:

- The child demonstrates limited academic achievement for his or her age and ability levels in one or more of the following areas when provided with appropriate learning experiences:

  oral expression; listening comprehension; written expression;
  basic reading skills; reading comprehension; mathematics
  calculation; or mathematical reasoning; and,

- The child demonstrates a severe discrepancy between intellectual ability and academic achievement in one or more of the above-mentioned areas.

(c) The IEP Team must also ensure the following:

- At least one IEP Team member, other than the child's regular teacher, must observe the child's academic performance in the regular classroom setting;
- In the case of a child who is out of school, a team member must observe the child in an environment appropriate for a child that age; and,
- The observation report must document the name and title of the observer, as well as the date and place of the observation. This report must also be attached to the Evaluation Summary and Eligibility Report.

(d) The IEP Team must prepare a written report of the evaluation results that includes statements of:

- Whether the child has a specific learning disability;
- The basis for making the determination;
- The relevant behavior(s) noted during the observation of the child;
- The relationship of these behavior(s) to the child's educational functioning;
- Medical information, if any, related to the child's educational functioning,
- The nature of the severe discrepancy between intellectual ability and academic achievement which is not correctable without special education and related services; and,
- The determination of the team regarding the effects of environmental, cultural, economic, or attendance factors on the child's academic performance.

The report must be dated and team members must indicate their agreement or disagreement with the report's conclusions, and then sign the report. A team member who disagrees with the conclusions of this report must submit a separate statement of his or her own conclusions.

(e) The child must require special facilities, equipment, or methods to make his or her education program effective.

(f) The child must be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

7. Mental Retardation

To be eligible for special education and related services as a child with mental retardation, a child must:

(a) score two or more standard deviations below the national norm on an individual standardized test of intelligence; and

(b) exhibit deficits in adaptive behavior manifested during the developmental period that adversely affect the child's educational performance; and

(c) require special facilities, equipment or methods to make his or her educational program effective; and

(d) be diagnosed as mentally retarded by a psychiatrist or psychologist; and

(e) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

8. Multiple Disabilities

To be eligible for special education and related services as a child with multiple disabilities, a child must:

(a) exhibit two or more of the conditions described in this section, the combination of which causes such severe education problems that he or she cannot be accommodated in a special education program for solely one of the conditions; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed as described in this section for each condition; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

Note: The term multiple disabilities does not include deaf-blindness. Children with multiple disabilities exhibit two or more severe disabilities that are likely to be life-long, significantly interfere with independent functioning, and necessitate environmental modifications to enable the individual to participate in school and society. A learning disability and speech/language impairment does not constitute a multiple disability. Likewise, a student with mental retardation who receives speech therapy as a related service would not be found eligible under this category.

9. Orthopedic Impairment

To be eligible for special education and related services as a child with an orthopedic impairment, a child must:

(a) exhibit a severe orthopedic impairment, including impairments caused by a congenital anomaly, disease or other causes, that adversely affects educational performance; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician as orthopedically impaired; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

10. Other Health Impairment

To be eligible for special education and related services as a child with a health impairment, a child must:

(a) exhibit limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, and is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, that adversely affects educational performance; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

11. Preschool Developmental Delay

To be eligible for special education and related services as a preschool child with developmental delays, a child must:

(a) be not less than 3 years old nor more than 6 years of age; and

(b) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services as a child with developmental delays by meeting the following criteria:

(i) function at least two standard deviations below the mean or 25% delayed in age equivalency in at least one of the following areas:

- cognitive development
- physical development which includes fine and gross motor
- speech and language development which includes articulation, fluency, voice and language
- psycho-social development and
- self-help skills;

or

(ii) function at least 1.7 standard deviations below the mean or 20% delayed in age equivalency in two or more of the five areas in "b" above;

and

(iii) has learning problems that are not primarily the result of bilingualism, cultural difference, environmental disadvantage, or economic disadvantage.

The category preschool developmental delay should not be used when the child clearly meets the eligibility for another disability category.

> **Note:** There is no pre-school learning disability classification. A child with learning problems who is not less than 3 years nor more than 6 years of age must meet the above criteria for preschool developmentally delay to qualify for service.

12. Speech Impairment

To be eligible for special education and related service as a child with a speech impairment, a child must:

(a) exhibit a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects educational performance; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician or speech-language pathologist as speech impaired; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

13. Traumatic Brain Injury

To be eligible for special education and related services as a child with a traumatic brain injury, a child must:

(a) exhibit an injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial maladjustment that adversely affects educational performance. The term includes open or closed head injuries resulting in mild, moderate, or severe impairments in one or more areas, including cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma; and

(b) require special facilities, equipment, or methods to make his or her educational program effective; and

(c) be diagnosed by a physician as having a traumatic brain injury; and

(d) be certified by the IEP Team and other qualified professionals as qualifying for and needing special education services.

14. **Visual Impairment**

To be eligible for special education and related services as a child with a visual impairment, a child must:

(a) exhibit a visual impairment, not primarily perceptual in nature, resulting in measured acuity of 20/70 or poorer in the better eye with correction, or a visual field restriction of 20 degrees as determined by an optometrist or ophthalmologist, which even with correction, adversely affects educational performance; or

(b) exhibit a physical eye condition that affects visual functioning to the extent that specially designed instruction is needed; and

(c) require special facilities, equipment, materials, or methods to make his or her educational program effective as determined by a teacher of students with visual impairments; and

(d) be certified by the IEP Team and other qualified professionals, which includes a certified teacher of students with visual impairments, as qualifying for and needing special education services.

PART IV

IEP DEVELOPMENT, IMPLEMENTATION, REVIEW & REVISION

Sections

1. Overview
2. Responsibility for Development and Implementation of the IEP
3. When an IEP Meeting Must Be Convened
4. Participants in IEP Meetings
5. Parent Participation
6. When an IEP Must Be in Effect
7. Guidelines on IEP Preparation
8. Content of the IEP
9. Proper Functioning of Hearing Aids
10. Physical Education & Vocational Education on the IEP
11. Student Discipline
12. Extended School Year
13. Secondary Transition
14. Assistive Technology Devices & Assistive Technology Services
15. Parent/District Disagreement with an IEP
16. Charter Schools
17. Correspondence Schools
18. Private Schools
19. Juvenile & Adult Correctional Facilities
20. Review/Revision of IEP
21. IEPs for Children from Infant/Toddler Programs

SECTION 1. OVERVIEW

The individualized education program (IEP) is the heart of the IDEA 97. It is a written statement that is developed, reviewed, and revised in an IEP meeting and serves as a communication vehicle between a parent and the district.

An effective process that engages parents and school personnel in a meaningful discussion of the child's educational needs must be used in developing the IEP. The completed IEP should be the product of collaboration between parents and educators who, through full and equal participation, identify the unique needs of a child with a disability and plan the services to meet those needs.

The IEP is not a performance contract or a guarantee by the district and the teacher that a child will progress at a specified rate. However, the district must ensure that all services set forth in the child's IEP are provided, and it is also obligated to make good faith efforts to assist the child in achieving his or her IEP goals and objectives.

Parent Participation

The IDEA 97 requires that parents have an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement, and the provision of FAPE to their child. Parents must be part of the team that determines their child's eligibility and the team that makes decisions on the educational placement of their child. In addition, the concerns of parents and the information they provide regarding their children must be considered in developing and reviewing their child's IEP. Lastly, parents must be kept informed about the educational progress of their child, particularly as it relates to their progress in the general curriculum.

Use of the term "multidisciplinary team" (MDT team) is discouraged because in previous legislation, the MDT team did not require parent participation. The term *IEP Team* is preferred to refer to the team that makes decisions about all aspects of the child's education including, eligibility, special education and related services to be provided, reevaluations, transitions, manifestation determinations, etc. The members of the IEP Team will necessarily change depending on the purpose of the team meetings, but must always include the parents.

Development of the IEP

Development of the IEP begins with the evaluation and identification of a child with a disability who is eligible for special education services. Upon reviewing the results of the most recent evaluation data, information is summarized to describe the child's present levels of performance and how the child's disability affects involvement and progress in the general education curriculum or age-appropriate activities. Appropriate services and accommodations are then considered in order to plan a program that will meet the child's needs. Measurable goals and objectives (or benchmarks) are written to assess the child's progress, and the appropriateness of the services to be provided over the next year. Finally, placement decisions are based on the IEP.

An IEP contains goals and objectives (or benchmarks) to monitor and measure the effectiveness of the services. The IEP must be developed within 30 days after the IEP Team makes a determination of eligibility. However, the total time between parental consent to evaluate and implementation of the IEP must not exceed 45 school days. The IEP must be implemented as soon as possible after it has been developed. An IEP must be in effect at the beginning of each school year and before special education and related services are provided to the child.

All IEPs developed, reviewed, or revised on or after July 1, 1998 must meet the new requirements of the IDEA 97.

SECTION 2. RESPONSIBILITY FOR DEVELOPMENT AND IMPLEMENTATION OF THE IEP

With the exception of correspondence programs that enroll out-of-district students (see Section 17 of this Part), the district in which the child resides is responsible for developing the IEP and scheduling the IEP meetings. This includes children placed by the district or a state agency in out-of-state programs.

Parent Invitation

The parent must be invited to the IEP meetings. If a child resides in a district different than the parents, the parents still must be invited to the IEP meetings. If the parents are unable to attend the IEP meetings, they must be provided with the opportunity to participate in developing the IEP. To facilitate this, the district could:

1. Invite the parent to the meeting. This might be possible if the parent lives near the resident district, or if the resident district is willing to pay the traveling expenses of the parent.
2. Conduct the meeting at the resident district and involve the parent by telephone.

Implementing the IEP

Once the IEP is written, the district must immediately implement the IEP as written, regardless of any disagreement. Refusal of any IEP Team member to sign the IEP document does not affect the district's requirement to immediately implement the IEP. The IEP Team should work towards consensus and not make decisions based on a majority vote. If consensus cannot be reached, the district must provide the parent with prior written notice of its proposals/refusals. If the parent requests a hearing, the child must "stay put" unless an interim placement can be agreed to by the parents and the district.

SECTION 3. WHEN AN IEP MEETING MUST BE CONVENED

An IEP meeting must be convened under the following circumstances:

1. Within 30 days of determining a child eligible for special education and related services.
2. On or before the IEP annual review date.
3. When considering a change in the IEP (including placement).
4. At the reasonable request of any IEP Team member including the parent, guardian, a person acting as a parent or surrogate parent, and the child's teacher.
5. To review or create an assessment plan to develop a behavior intervention plan in discipline matters related to suspensions or expulsions.

Note: Specific day-to-day adjustments in instructional methods and approaches that are made by either a regular or special education teacher to assist a child with a disability to achieve his or her annual goals would not normally require action by the child's IEP Team.

SECTION 4. PARTICIPANTS IN IEP MEETINGS

The district shall ensure that the IEP meetings include the following participants:

1. **The student's parents**

   The emphasis of the law is on parental participation. A parent is an active participant in the IEP Team meeting and must be given the opportunity to share ideas, thoughts, and input regarding the IEP. The district shall invite and encourage parents or guardians to actively participate as equal members of an IEP Team to assist the district in developing an appropriate IEP. Parents are important team members who can:

   a. Verify the accuracy of personal identifying information.
   b. Provide information and observations about the level of the child's functioning in his or her home environment and community.
   c. Provide information regarding the child's medical status.
   d. Through participation in the IEP meeting, assist the district in developing educational goals and objectives based on the present levels of educational performance and identified needs.
   e. Through participation in the IEP meeting, assist the district in determining the special education and related services to be provided.
   f. Through participation in the IEP meeting, assist the district in ensuring that the child is placed in an appropriate educational program.

   Note: Although extremely desirable a district cannot require parents to participate and some parents may choose not to participate. If the parents do not attend the IEP meeting, the district must provide "prior written notice" to the parents along with a copy of the revised IEP. This notification should inform the parents that the IEP will be implemented 10 school days after the IEP meeting date unless the parents formally request a due process hearing.

2. **The student, when appropriate**

   A student should be invited to participate in the IEP meeting whenever appropriate. Furthermore, beginning at age 14, the student must be invited by the district to attend any IEP meeting at which transition is to be discussed.

   Note: The student must be invited to attend the IEP meeting to ensure that the transition services component of the IEP addresses the student's needs, preferences, and interests. When it is deemed inappropriate for the student to attend an IEP meeting in which the need for transition services is being considered, the district should document the reasons that justify the student's nonparticipation. If the student does not attend the IEP meeting, the district must document how the student's needs, preferences, and interests have been taken into account.

3. **A representative of the district**

   The IEP Team must include a representative of the district, other than the child's teacher, who is

   a. Qualified to provide, or supervise the provision of special education.

   b. Knowledgeable about the general education curriculum.

   c. Knowledgeable about the availability of resources in the district with the authority to commit district resources and ensure that whatever services set out in the IEP will be provided.

   A district may designate another IEP Team member to serve as the district representative (who can commit district resources), provided that this IEP Team member meets the other requirements for being a district representative (i.e. qualified to provide/supervise special education, knowledgeable about general curriculum, and availability of resources).

4. **At least one special education teacher or special education provider**

   In deciding which teacher should participate, the district may wish to consider the following possibilities:

   a. For a child with a disability who is receiving special education, the "teacher" could be the student's special education teacher. If the student's disability is a speech impairment, the "teacher" could be the speech-language pathologist.

   b. For a child with a disability who is being considered for placement in special education, the "teacher" could be a teacher qualified to provide education in the type of program in which the student may be placed.

5. **At least one regular education teacher**

   With the emphasis on involvement and progress in the general curriculum added by the IDEA 97, regular education teachers have an increasingly critical role in implementing the program of FAPE for children with disabilities. It will be a rare circumstance in which a regular education teacher is not required to be a member of the IEP Team.

A regular education teacher is required to participate in developing the IEP if a child is, or may be, participating in the general education environment. To the extent appropriate, the regular education teacher's participation may include the determination of appropriate positive behavioral interventions and strategies, supplementary aids and services, program modifications, and support needed for school personnel to provide services to, or on behalf of, a child. If the child has more than one regular education teacher, the district may designate which teacher or teachers of the child will participate on the IEP Team. While all regular education teachers of the child need not attend the IEP meeting, their input should be sought, regardless of whether they attend.

The regular education teacher need not participate in all IEP Team decisions or the entire meeting; the extent of the general education teacher's participation will depend on the child's needs and the purpose of the meeting. District staff and parents should come to an agreement on the extent of the regular education teacher's participation. The extent to which the regular education teacher will participate in IEP meetings must be decided on a case-by-case basis.

6. District staff to interpret instructional implications of evaluation results

The IEP Team must include an individual who can interpret the instructional implications of the evaluation results. This may be one of the members described above (i.e., the district representative, special education teacher or service provider, or the regular education teacher).

7. Representative of a private school

If a child with a disability is enrolled in a private school and receives special education from the district, a representative of the private school must be invited to attend the IEP meeting. If the representative cannot attend, the district must use other methods to ensure participation by the private school, including individual or conference telephone calls.

After a child with a disability enters a private school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the private school facility at the discretion of the district.

If the private school or facility initiates and conducts these meetings, the district shall ensure that the parents and a district representative:

a. Are involved in any decision about the child's individualized education program.

b. Agree to any proposed changes in the program before those changes are implemented.

Even if a private school or facility implements a child's IEP, responsibility for compliance with this part remains with the district.

8. **Transition service providers, when appropriate**

Any meeting to develop, review, or revise transition services in the IEP shall also include:

a. A school district representative responsible for providing or supervising the provision of transition services.

b. A representative of other participating agencies that are likely to be responsible for providing or paying for the transition services included in the child's IEP.

It is important to consider that the needs of the transitioning student will change with time. The IEP Team configuration should reflect these changes.

Note: When the participation of other agencies is deemed appropriate and an agency representative is unable to attend the meeting, the district should document its efforts to involve other participating agencies in the IEP meeting. Alternative means of participation in IEP meetings may be considered for agency representatives who are unable to physically attend a meeting due to distance or time constraints (e.g. audioconference, written reports).

9. **Related service personnel**

If a child's evaluation indicates the need for a specific related service, the district should ensure that a qualified provider of that service attends the IEP meeting, or provides a written report concerning the nature, frequency, and amount of related service to be provided to the child.

10. **Other individuals**

At the discretion of the parent or district, other individuals who have knowledge or special expertise regarding the child may be invited to the meeting (the determination of whether the person invited has such knowledge or special expertise is made by the inviting party, be it the parent or district). The district must inform the parents of their right to bring other participants to the meeting. It would be appropriate for the district to ask whether the parents intend to bring additional participants to the meeting.

It would not be appropriate for union representatives to attend IEP meetings because they would acting in the interest of the teacher and not possess knowledge or expertise regarding the child.

The attendance of attorneys at an IEP meeting is strongly discouraged due to the potential for creating an adversarial atmosphere that would not necessarily be in the best interests of the child.

Note: IEP participants must document their attendance at the meeting by signing the IEP form and indicating their role. Given the emphasis in the IDEA 97 on children's access to, and participation in, the regular education environment, the majority of IEP meetings will need three people to be valid: the child's special education teacher or provider, a representative of the district, and a regular education teacher. One or both parents and the child whose need for transition services is being considered must also be invited to attend. If the parents refuse to attend, the district must document its efforts to involve the parents. If the child does not attend, the district must document how student needs, preferences, and interests were taken into account.

SECTION 5. PARENT PARTICIPATION

The district must take steps to ensure that one or both parents of the child with a disability are present at the IEP meeting, or are afforded the opportunity to participate including:

1. Scheduling the meeting at a mutually agreed upon date, time, and place.
2. Inviting the parents to the meeting at least ten school days in advance unless the parents and district agree to an earlier date, or unless emergency circumstances in which disciplinary or safety issues require a meeting to be held at an earlier time.
3. Arranging individual telephone conference calls with the parents if they cannot attend.

Invitation to IEP Team Meeting

The invitation to the IEP meeting must indicate the purpose, time, and location of the meeting, as well as those who have been invited to attend. The invitation can be either written or oral, and the district must keep a record of its efforts to contact the parents. The district should also inform the parents of their right to bring other participants to the meeting.

If the meeting is to consider transition services for a student, the notice must state this and indicate that the student will be invited along with personnel from other agencies who might be involved in the student's transition plan.

A copy of the Notice of Procedural Safeguards must be given to the parents upon notification of an IEP meeting.

Note: A "meeting" does not include informal or unscheduled conversations among district personnel on issues not in the child's IEP, or preparatory activities that district staff engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

Only parents, guardians, or a person acting as a parent or surrogate parent can represent parents at an IEP meeting.

A parent or guardian of a child with disabilities must be invited to attend all IEP meetings. If the child is a ward of the state, or parents or guardians cannot be located, the district must appoint a surrogate parent (see Part VII, Section 6). If the child is a ward of the state, the child's parents must be given the opportunity to participate in the IEP meetings unless the parents' right to oversee the education of their child has been severed by the courts. Parents of a child who is a ward of the state may not sign as guardian. In this case, the district-appointed surrogate parent must be invited to the IEP meetings. If a parent's rights have not been severed, a natural parent may be trained and serve as the surrogate parent.

Note: A parent's signature on an IEP only indicates participation. Parental signature is not to be construed as an indication of agreement or disagreement with the IEP. The district must implement the IEP regardless of the parents' signature.

Documenting Attempts to Arrange IEP Meetings with Parents

An IEP meeting can be conducted without a parent in attendance if the district is unable to convince the parents that they should attend. Districts must make a concerted effort to ensure parent participation; one letter or one telephone call is not sufficient.

The district must keep a record of its attempts to arrange a mutually agreed upon date, time, and place including:

1. Detailed records of telephone calls made or attempted, and the results of those calls (see Appendix D for sample Telephone and Written Invitations to IEP meetings)
2. Copies of correspondence sent to the parents and any responses received.
3. Detailed records of visits made to the parent's home or place of employment, and the results of those visits.

Parents must be given a copy of the completed IEP regardless of whether they attend the IEP meeting. The district must document that the IEP was provided to the parents.

Note: A district's inability to successfully schedule a meeting **does not** condone an expired IEP. A child's IEP **must** be current and reviewed at least once a year.

Prior Written Notice in Relation to IEP Meetings

The invitation to an IEP meeting should not be confused with the requirements for providing prior written notice to parents (see Part VII, Section 3). The following procedures apply to the provision of prior written notice in relation to IEP meetings.

1. If parents are invited but do not attend an IEP meeting and changes are made in the IEP, provide written notice to the parents using the Prior Written Notice letter (see Appendix E) and attach a copy of the revised copy of the IEP.
2. If parents attend the IEP meeting and agree with the district on the IEP, prior written notice must be provided if there has been any change in placement or the provision of a free appropriate public education (i.e., the IEP).
3. If parents attend the IEP meeting but disagree with the district on the IEP, prior written notice must be provided to the parents at the meeting using the Prior Written Notice Letter (see Appendix E).

SECTION 6. WHEN AN IEP MUST BE IN EFFECT

An IEP must be in effect before special education and related services are provided to a child. It is not permissible to first place a child in special education and then develop the IEP. The IEP must be developed within 30 days of the eligibility determination. It must be in effect at the beginning of each school year.

The district must ensure that each regular education teacher, special education teacher, related service provider, and other service provider (e.g., bus driver, playground supervisor) responsible for its implementation:

1. Has access to the IEP.
2. Is informed of his/her specific responsibilities relating to the implementation of the IEP.
3. Has information regarding the specific accommodations, modifications, and supports that must be provided.
4. Understands the confidentiality rights of students with disabilities and their families in terms of disclosing personally identifiable information.

Interim Placement

The development of an interim IEP (or the use of an interim placement) may be appropriate for an individual child with a disability if there is some question about the child's special education or related service needs. However, districts should not adopt an across-the-board policy of developing interim IEPs for all children with disabilities. In any case in which the IEP for a child with a disability does not seem to effectively address the needs of the child, the IEP team, should be reconvened, at the request of the child's parent or teachers, to reconsider the scope of the IEP.

Interim placement requires an IEP Team is allowed under the following conditions:

1. An IEP must be developed.
2. The parents must agree in writing (i.e., their signature) to the interim placement.
3. The interim placement must not continue beyond 30 calendar days.
4. An IEP Team meeting must be conducted at the end of the interim period.
5. All applicable IEP content requirements must be met with no lapse in services between the interim and final placements.

Transfers into a District

When a student who has a current IEP moves into a new district, the district must decide whether to accept a) the evaluation report and eligibility established by the sending district and b) the existing IEP (see Appendix D for a sample Letter to Request Records). If the district decides to reject the eligibility and the existing IEP, an IEP Team meeting must be held to initiate a reevaluation.

If the district decides to develop a new IEP, the district may provide interim services and an interim placement if agreed to by the parties. If agreement cannot be reached, the district must implement the current IEP to the extent possible until a new one is developed. The new district would not need to conduct a new IEP Team meeting if the current IEP is available, the parents agree with it, and the district finds it appropriate. If the current IEP is not available or either party believes it is not appropriate, the new district must develop a new IEP within a short time, normally one week.

SECTION 7. GUIDELINES ON IEP PREPARATION

It is not permissible to present a completed IEP to parents for their approval. It is appropriate for staff to come prepared with evaluation findings, functional behavioral assessment results, statements of the student's present levels of educational performance, and recommendations regarding measurable annual goals and short-term objectives or benchmarks (a best practice recommendation is for the district to send the parents any "draft IEP" before the IEP meeting, making it clear the draft is for discussion purposes). District staff must inform the parents at the outset of the meeting that any proposals made are only recommendations for review and discussion. Parents and the other IEP Team members must be given the opportunity to actively participate in all decisions affecting the education of the student with a disability.

If a district maintains notes of IEP Team meetings it is required that participants be informed that the notes do not bind the district to any action, unless aspects of the notes are included in the IEP (Appendix D includes a sample IEP form). Districts may also develop their own IEP form making sure it includes all the required components listed below. If districts develop their own form, it must be submitted to the department for review

SECTION 8. CONTENT OF THE IEP

The IEP must address all of a child's identified special education and related services needs based on need, not the disability, and include:

1. **A statement of the child's present levels of educational performance.**

   The IEP Team reviews the existing evaluation data on the child, including concerns of the parent for enhancing their child's development. The team also reviews any other current pertinent data related to the child's needs and unique characteristics, such as information provided by parents; current classroom-based assessments; the most recent reevaluation; input from the student's special and regular education teachers and service providers, and, as appropriate, the results of the child's performance on state-and district-wide assessments. If an independent evaluation has been conducted, the results of that evaluation also must be considered if it meets the district's criteria for such evaluations. These results are summarized to describe the student's present levels of performance and educational needs.

Statements of present levels of educational performance in an area of need include how a student's disability affects his or her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children). For preschool children, present levels of performance describe how the disability affects the child's participation in age-appropriate activities. The IEP for every student with a disability, even those in separate classrooms/schools must address how the child will be involved and progress in the general curriculum.

The statement should accurately describe the effect of the child's disability on the child's performance in each area of education that is affected. The following guidelines should be followed in developing the statement of present levels of educational performance:

a. Statements should be written in easy to understand language that is free of educational jargon.

b. Information must be current.

c. Statements should reflect the results of the assessment data. Statements that relate scores to the child's level of functioning should accompany test scores. Raw test scores are not sufficient.

d. There should be a direct relation between the present levels of educational performance and the other components of the IEP. Thus, if the statement describes a problem with a child's reading, this problem should be addressed under both the goals and objectives and the specific special education and related services to be provided.

An example of a statement of a child's present levels of educational performance is provided below (from Kukic, S., & Schrag, J. (1998). IEP Connections. Longmont, CO: Sopris West.):

"Mary solves three-place addition problems with 60% accuracy. She reads orally with 50% accuracy and comprehends approximately 50% of the material read. She interacts well with peers within small, structured groups in the classroom. She initiates cooperative play during seven out of ten opportunities. At recess, she is aggressive (e.g., she hits, pushes, pinches, and yells), cries easily, and wants to be accepted. Her aggression is displayed during one in four recesses. Following aggressive action, she cries easily if she is confronted. Mary's strength is that when classroom and playground expectations are clearly and simply explained to her, she is better able to manage her behavior."

2. **Measurable annual goals and short-term objectives or benchmarks.**

The goals and objectives (or benchmarks) should focus on the learning and behavioral problems resulting from the child's disability and be aligned with state and district performance standards. They should address the needs that are summarized in the statement of the child's present levels of educational performance. There should be at least one goal, with corresponding objectives or benchmarks, for each area of need.

The goals and objectives or benchmarks provide a mechanism for determining whether the child is progressing in the special education program and whether the placement and services are appropriate to meet the child's identified educational needs.

Measurable annual goals: A goal is a measurable statement that describes what a child is reasonably expected to accomplish from the specialized educational program during the school year. When formulating goal statements the following guidelines should be followed:

a. Goals should be general statements that focus on deficit skill areas.

b. Goals should be designed to address the needs identified in the statement of the child's present levels of educational performance.

c. Goals should be challenging and describe what a child can reasonably be expected to accomplish during the school year.

d. All members of the IEP Team should easily understand the language of the goals.

e. Goals should be written to increase the child's successful participation in the general education curriculum, including appropriate activities, and allowing for inclusion in the general education environment to the maximum extent appropriate.

f. Goals should be stated so they are meaningful. For example,

- Is accomplishment of the goal necessary for success in current and future environments?
- Does the family believe the accomplishment of the goal is important?

- Does the goal specify a level of performance and expectation that is reasonable?

g. Goals should be measurable; they must reflect behavior that can be measured.

h. Goals should be written so they can be monitored frequently and repeatedly.

i. Goals should be written to enhance decision making. Monitoring the goal results in data that can be used to determine the effectiveness of the child's educational program.

j. Goals should reflect transition needs.

k. Goals should address Alaska's performance standards (see Appendix D for copies of the reading, writing, and math standards.)

Examples of possible measurable annual goals include the following (from the Autism Society of America):

Frank will increase use of communication skills, via a communication board, in social interactions with his peers.

Susan will increase skills in reading comprehension.

Rick will improve his job skills (primarily, data entry on a PC) to increase his chances for competitive employment after high school.

Michelle will decrease her hand flapping.

Short-term objectives or benchmarks: The short-term objectives or benchmarks derive from the annual goals but represent smaller, more manageable learning tasks a child must master on the way to achieving the goals. The purpose of short-term objectives and benchmarks is to enable families, students, and teachers to monitor progress during the year and, if appropriate, revise the IEP consistent with the child's instructional needs. They describe how far the child is expected to progress toward the annual goal and by when. In most cases, at least two objectives or benchmarks should be written for each annual goal. Progress on each short-term objective or benchmark should be documented.

Short-term objectives generally break the skills described in the annual goal into discrete components. *Benchmarks* describe the amount of progress the student is expected to make in a specified segment of the year. Benchmarks establish expected performance levels that allow for regular checks of progress that coincide with the reporting periods for informing parents of their child's progress toward achieving the annual goals.

Objectives and benchmarks must be measurable; they must use language that will allow a **count** of what a student does (e.g., To write, To read, To list, To perform). Do not use terms such as: "To understand," "To appreciate," "To comprehend."

Short term objectives and benchmarks may include the following three components to ensure that they can be evaluated:

a. **Objective Criteria** that enable progress to be monitored and allow for determination of the point at which the objective has been accomplished, such as:

- 95% accurate
- fewer than 5 times per day
- 50 correct responses in one minute
- 4 out of 5 trials correct on three consecutive days

b. **Evaluation Procedures** to be used, such as:

- teacher observation
- written performance
- oral performance
- criterion referenced tests
- parent report
- observation
- time sample
- teacher-made tests

c. **Schedules** to determine how often the objective will be measured, such as:

- one-two weeks
- twice a week
- once a month
- six weeks
- nine weeks
- each semester
- annually

Some examples of possible short-term objectives are listed below. Each objective has numbers corresponding to the three components: **(1)** objective criteria, **(2)** evaluation procedure and **(3)** schedules.

> To read a 300 word article in the newspaper **(1)** in two minutes with 95% accuracy **(2)** as observed and recorded by the resource teacher **(3)** once a week.
>
> To create **(1)** fewer than 5 disruptions per day for three consecutive days **(2)** as observed and recorded by the teacher's paraeducator **(3)** each day.
>
> To achieve **(1)** 95% accuracy **(2)** on a teacher made spelling test of seventh grade words as checked by the resource teacher **(3)** on a weekly basis.
>
> To compose three-paragraph themes comprised of fifteen or more sentences using a word processing program with a spell checker **(1)** with 80% or better accuracy in the use of spelling, punctuation and grammar over 5 consecutive trials **(2)** as recorded by the resource teacher **(3)** weekly.

Goals and short-term objectives/benchmarks must be written so they pass the following two tests:

a. "The Stranger Test:" Is the goal/objective/benchmark written so that someone who did not write it could use it to develop appropriate instructional plans and assess student progress?

b. "The So What Test:" Is the skill indicated in this goal/objective/ benchmark really an important skill for the student to learn?

Note: The IEP Team is not required to create annual IEP goals that relate to those areas of the general curriculum in which the child's disability does not affect his or her ability "to be involved in and progress in the general curriculum." Therefore, if a child with a disability needs only modifications or accommodations in order to progress in an area of the general curriculum, the IEP does not need to include a goal for that area, but must specify the needed modifications/accommodations.

3. **A statement of the specific special education and related services to be provided to the student.**

The statement of services contained in the IEP must include the following information:

a. All the specific special education and related services needed by the child in order to receive an appropriate education (e.g., itinerant program supervision, speech/language pathology services, assistive technology services, transition services, counseling services, physical therapy services).

Note: A particular teaching methodology that is an integral part of what is "individualized" about a child's education (i.e. instruction that is the basis for the goals and objectives and other elements of an IEP) will need to be put in the IEP. The IEP Team decides whether a particular teaching methodology should be put in an IEP.

b. Supplementary aids and services to be provided to the child, or on behalf of the child.

c. Program modifications or supports for school personnel that will be provided to allow the student to:

- Advance appropriately toward attaining the annual goals
- Be involved and progress in the general education curriculum and participate in extracurricular and other nonacademic activities
- Be educated and participate with other students with disabilities and nondisabled students

d. The total amount of service needed by the student per week.

The amount of service to be provided must be stated in the IEP so that the level of the agency's commitment of resources will be clear to parents and other IEP Team members. The amount of services may be stated as a range (e.g. 45- 60 minutes) only if the IEP Team determines that a range is necessary to meet the unique needs of the child (e.g., services needed only when a seizure occurs). A range may not be used because of personnel shortages or uncertainty with respect to the availability of staff.

As long as there is no change in the overall amount per week, some adjustments in scheduling the services should be possible (based on the professional judgment of the service provider) without holding another IEP meeting.

e. The frequency of on-site program review by each itinerant service provider.

For example, if a child receives daily speech services from a paraeducator or from a teacher who does not hold an endorsement in speech/language pathology, monthly on-site supervision of the child's speech services by a certified speech language pathologist, is required. Both the amount of daily service and the amount of program supervision by the certified speech pathologist must be listed on the IEP. Examples of complying with the above requirements are listed below:

- Reading services, 60 minutes per day, five days per week.
- Physical therapy services, 60 minutes per week.
- Itinerant speech therapy supervision provided by a speech language pathologist, 120 minutes per month.
- Speech - Language Therapy - Assistive Technology (electronic communication device)- 30 minutes per week.

Note: Individually prescribed devices such as glasses or hearing aids are generally considered to be personal items and are not a service to be provided by the district, and thus would not be listed as a service need on the IEP.

4. **The extent to which the student will NOT be able to participate in regular education programs (LRE Explanation).**

The IEP must include a statement of the extent, if any, to which the student will not participate in the regular classroom, general education curriculum, extracurricular, or other nonacademic activities. The same program options and non-academic services that are available to students without disabilities must be available to students with disabilities. Program options typically include: art, music, industrial arts, clubs, home economics, sports, field trips, and vocational education. Non-academic services and extra-curricular activities typically include athletics, health services, recreational activities and special interest groups or clubs.

Note: If modifications (supplementary aids and services) to the regular education program are necessary to ensure the student's participation in that program, those modifications must be described in the student's IEP.

5. **A statement of secondary transition service needs and needed transition services for students.**

A statement of the transition service needs of the student under the applicable components of the IEP that focus on the student's courses of study (such as participation in drivers' education courses or a vocational education program), must be included in the IEP by the student's fourteenth birthday, or earlier if determined appropriate by the IEP Team. A statement of needed transition services must be part of the IEP by the student's sixteenth birthday, or earlier if determined appropriate by the IEP Team.

Transition planning and transition services are based on the individual student's needs, taking into account the student's preferences and interests, and must include (a) instruction; (b) related services; (c) community experiences; (d) the development of employment and other post-school adult living objectives; and, when appropriate, (e) acquisition of daily living skills, and (f) functional vocational evaluation.

The transition statement must also include, when appropriate, a statement of the interagency responsibilities or linkages before the student leaves the school setting. If a participating agency, other than the educational agency, fails to provide agreed upon services contained in the IEP, the district must reconvene the IEP Team to identify alternative strategies to be implemented to meet the transition objectives outlined in the student's IEP (Transition is further discussed in Section 13 of this Part).

6. Transfer of Rights to Student

The IEP must include a statement that the student has been informed of his or her rights under the IDEA 97 that will transfer to the student on reaching the age of majority (age 18), beginning at least one year before the student reaches the age of majority (see sample Transfer of Rights letter in Appendix D).

7. Projected starting date and anticipated frequency, duration, and location of services.

The projected starting date and anticipated frequency, duration, and location of services (and modifications) must be indicated for each special education and related service. The date must include the month, day, and year, and extend no more than a year from the date of the meeting. The location refers to the type of environment that is the appropriate place for the provision of the service (e.g., the regular classroom, resource room).

8. Justification for placement.

The IEP must include an explanation of the extent, if any, to which the student will not participate with nondisabled children in the regular class. A justification for placement must be provided on the IEP (*placement* is discussed in Part V and *justification for placement* specifically in Part V, Section 5.)

9. **State or district-wide achievement testing**

The IEP must include a statement of the accommodations, used in instruction, that are necessary for the student to participate in the administration of state- and district-wide assessments of student achievement. If the IEP Team determines that the student will not participate in the regular assessments, the IEP must include a statement of how the student will be assessed. The department is developing an alternate assessment for students with significant disabilities who are involved in a functional basic skills education program, rather than the standard curriculum.

10. **Need for extended school year (ESY).**

Consideration of the need for an extended school year must be documented. If it is determined that a student requires extended school year services, ESY must be included in the IEP. The information used to support the statement should be referenced (ESY is further discussed in Section 12 of this Part).

11. **Assistive technology devices and/or services.**

If the IEP Team determines that assistive technology devices (e.g., electronic communication device, phonic ear) and/or services (e.g., assistive technology evaluation, training, technical assistance) are necessary in order for the student to access and benefit from the educational program, such technology must be designated in the IEP (see Appendix H for Common Areas of Assistive Technology Application).

12. **Special considerations**

As appropriate, the IEP Team shall consider the following special factors and include statements addressing these needs in the child's IEP:

a. If the child's behavior impedes his or her learning or that of others, the team shall consider, when appropriate, strategies such as positive behavioral interventions and supports to address that behavior.

b. If the child has limited English proficiency, the IEP Team shall consider the language needs of the student.

c. If the child is blind or visually impaired, the IEP Team shall provide for instruction in Braille and the use of Braille unless they determine it is not appropriate for the child. This determination can only be made after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille.)

d. If the child is deaf or has a hearing impairment, the IEP Team shall consider the language and communication needs of the child, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, the child's academic level, and his or her full range of needs including opportunities for direct instruction in the child's language and communication mode.

13. Progress Toward Goals

The IEP must include a statement of how parents will be informed of their child's progress toward the annual goals and the extent to which that progress is sufficient to enable the child to achieve the goals by the end of the IEP time period. Parents of children with disabilities must be informed at least as often as the district informs parents of nondisabled children of their progress.

The reports need not be lengthy. The statement of annual goals/short-term objectives/benchmarks in the IEP could serve as the "base document" for briefly describing the child's progress (see Appendix D for samples of Progress Reports).

SECTION 9. PROPER FUNCTIONING OF HEARING AIDS

The district must ensure that the hearing aids worn by children in school who are deaf or have a hearing impairment are functioning properly.

SECTION 10. PHYSICAL EDUCATION & VOCATIONAL EDUCATION ON THE IEP

If the child can participate fully in the regular physical education (PE) or vocational education program, it is not necessary to describe or refer to PE or vocational education on the IEP. However, if some modifications to the program must be made to accommodate the child, these modifications must be described on the IEP.

If the child needs specially designed instruction in PE or vocational education, the program must be addressed in the IEP in terms of present levels of educational performance, goals and objectives/benchmarks, and services to be provided.

If the child is educated in a separate facility, the PE or vocational education program must be described or referred to in the IEP. If the child is in a separate facility that has a standard vocational education or PE program in which the child can participate without any modifications, then the IEP need only note such participation in the comment section of the IEP.

SECTION 11. STUDENT DISCIPLINE

Students with Disabilities are Entitled to Additional Rights

Students with disabilities who are subject to disciplinary actions by the school district are entitled to all the same due process rights afforded non-disabled students. However, the IDEA 97 provides additional rights and protections to students with disabilities upon their receiving disciplinary removal of more than 10 school days in a school year.

General Discipline Rules

The general rules pertaining to the discipline of students in special education are as follows:

1. All students, with or without disabilities, are entitled to certain rights before they can be excluded from school for any period of time.
2. Short-term removals of up to 10 school days in a school year may be utilized for students in special education to the extent they would be applied to students without disabilities.
3. Exclusion of a student with a disability for more than 10 school days in a school year cannot be made without following the procedures of the IDEA 97.
4. A change of placement occurs if a student is removed for more than ten consecutive school days or is subjected to a series of removals that constitute a pattern because they cumulate to more than ten school days in a school year. The determination of whether a pattern exists may be based on factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another.
5. Schools do not need to provide services during the first ten school days in a school year that a student is removed. Any removal or series of removals of more than 10 school days in a school year requires the district to provide services by day 11 to the extent determined necessary to enable the student to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals of his or her IEP.

6. Under certain conditions (i.e., possession of weapons or illegal drugs), the district may use interim alternative educational placements (IAES) for not more than 45 calendar days for students with disabilities, if non disabled students would be placed in alternative educational placements or would be excluded from school for the same disciplinary action.

7. The district may seek, through an expedited hearing or the court system, to have a hearing officer order the removal of a student for up to 45 calendar days if keeping the student in his or her current placement is substantially likely to result in injury to the student or others.

8. If the district contemplates any disciplinary action constituting a change of placement then, not later than the date on which the decision to take the action is made, the parents must be notified of that decision and of their procedural safeguards (parent rights) under the IDEA 97.

9. Within 10 business days after the district decides to take disciplinary action involving the placement of a student with a disability in an IAES, the IEP Team must conduct a functional behavioral assessment (FBA) and create a behavioral intervention plan (BIP) if one has not already been created; if a plan has already been created, the IEP Team must review it and modify it as necessary.

10. Either before, or within 10 school days after the district decides to take any disciplinary action constituting a change of placement, the IEP Team and other qualified personnel will conduct a manifestation determination review.

11. Even when a student with a disability is excluded from school for behavior that is not a manifestation of his or her disability, special education services must continue to be provided during an expulsion or suspension of more than 10 consecutive days.

12. If a student, whose behavior is subject to disciplinary action, is not receiving special education, but the district suspects or has knowledge that the student had a disability prior to the behavior occurring, then this student would also be protected under the IDEA 97. If a request for an evaluation of the student is received during the disciplinary time period, the evaluation must be completed immediately to determine if the child is eligible for special education and therefore protected by the IDEA 97.

13. Removing a student from his or her assigned classroom for inappropriate behavior may constitute a removal, unless it is for short-term crisis management. In-school suspensions are not counted if the student:

    - is afforded the opportunity to continue to appropriately progress in the general curriculum;

- continues to receive the services designated in the IEP; and,
- continues to participate with non-disabled students to the same extent as in their current placement.

However, portions of a school day for which a student is removed from his or her current setting do count toward the 10 cumulative days.

14. The removal of a student with a disability from transportation services that causes the student to not attend school also counts toward the cumulative days of removal, unless transportation services were not contained in the IEP or the district provides an alternative means of transporting the student to school.

Specific Discipline Procedures

Specific procedures regarding disciplinary measures are described below for the following scenarios:

1. *Removal for 10 or Fewer Cumulative School Days in a School Year*

   A student with a disability may be removed from his or her current placement for up to 10 cumulative school days in a school year for any violation of school rules to the same extent that removal would be applied to students without disabilities. The district does not need to provide services during these first 10 days of suspension in a school year if services are not provided to students without disabilities. Students should not be suspended for behavior related to their disability that is addressed in their IEPs.

2. *Removal for More than 10 Cumulative School Days and No Pattern*

   Within 10 business days after the district first removes a student for more than 10 school days in a school year, the IEP Team must conduct an FBA and create a BIP if this was not previously done. If the student already has a BIP, the IEP Team must review it and modify it as necessary. Services must be provided on the 11th cumulative day of removal as determined by the administrator in consultation with the special education teacher. These services must be provided to the extent necessary to enable the child to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals of his or her IEP. This process is the same for subsequent removals of 10 consecutive school days or fewer, and no pattern is established.

3. *Removals for More Than 10 Consecutive School Days or Pattern*

   Removals constituting a change of placement require all of the following procedures:

   a. Parent notification

The student's parents must be notified of the disciplinary action to be taken and informed of their procedural safeguards (parent rights) under the IDEA 97, no later than the date on which the decision to take the action was made.

b. Review or development of behavioral intervention plans (BIPs)

Within 10 business days after ordering any removal constituting a change of placement, the IEP Team will meet to consider the problem behavior that precipitated the disciplinary change of placement and do the following:

- Review and modify the student's BIP as needed to address the problem behavior; or
- Conduct an FBA and create a BIP if one has not been created. The components of the BIP should be implemented as soon as is practical. (See Appendix J for further information on FBAs and BIPs.)

c. Manifestation Determination

A manifestation determination review must be conducted by the IEP Team and other qualified personnel as soon as possible, but not later than 10 school days after the earlier of the following dates:

- The date on which a decision was made to recommend a change in placement; or
- The date a disciplinary placement change actually occurred.

A manifestation determination reviews the relationship between the student's disability and the student's behavior that is subject to the disciplinary action. The IEP Team may determine that a student's behavior was **not** a manifestation of the student's disability **only** if the team:

1. First considers, in terms of the behavior subject to disciplinary action, all relevant information, including:
   - evaluation and diagnostic results, and relevant information supplied by the parent or guardian of the student, and the student as appropriate;
   - observations of the student; and
   - the student's IEP and placement.
2. **AND** then determines that:
   - in relation to the behavior subject to disciplinary action, the student's IEP and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention

strategies were provided consistent with the student's IEP and placement; **and**

- the student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; **and**
- the student's disability did not impair the ability of the student to control the behavior subject to disciplinary action.

If it is determined, after conducting a manifestation determination, that the student's behavior was not a manifestation of the student's disability, the same disciplinary procedures applicable to a student without a disability, including long-term suspension or expulsion, may be applied to the student with disabilities. However, services must be provided to the extent necessary to enable the student with a disability to appropriately progress in the general education curriculum and advance towards achieving his or her IEP goals. The nature and extent of these services must be determined by the IEP Team. If it is determined that the student's behavior was a manifestation of his or her disability, then the student may not be removed for more than ten consecutive days. However, the IEP Team, with parental consent, may always change the student's placement.

4. *45 Day Interim Alternative Educational Setting (IAES)*

The superintendent, or a designee, may order a change in the student's placement to an appropriate IAES, for no more than 45 calendar days (to the extent that such measures are applied to non disabled students), if:

a. The student carries a weapon to school or to a school function; or

b. The student possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or at a school function.
(For definitions of controlled substance, illegal drugs, or weapons, see Appendix J).

An appropriate IAES must meet the following three criteria:

a. Be determined by the IEP Team.

b. Be selected to enable the student to continue to participate in the general education curriculum – although in another setting – and to continue to receive services and modifications included in the current IEP.

c. Include services and modifications designed to address the behavior so that it does not recur.

All change of placement procedures including parent notice, BIP review or development, and manifestation determination must also be completed.

5. *45 Day Interim IAES placements by Hearing Officers*

If the district considers a student to be a danger to self or others, it may request an expedited administrative hearing to ask a hearing officer to place the student in a 45-day IAES. The district may make such a request:

a. As an initial disciplinary action;

b. To follow a 10-day disciplinary placement change by school personnel; or

c. To follow a 45-day disciplinary change by school personnel for weapons, drugs, or controlled substance violations.

A hearing officer may order a change in the placement of a student with a disability to an appropriate IAES for not more than 45 calendar days if the hearing officer:

a. Determines the district has demonstrated substantial evidence that maintaining the current placement for the student is substantially likely to result in injury to the student or others;

b. Considers the appropriateness of the current placement;

c. Considers whether the district has made reasonable efforts to minimize the risk of harm in the current placement, including the use of supplementary aids and services; and

d. Determines that the IAES was developed in consultation with the special education teacher and meets the above-mentioned criteria.

All change of placement procedures including parent notice, BIP review or development, and manifestation determination must also be completed.

Parent Request for a Hearing

If the student's parent disagrees with a determination that the student's behavior was not a manifestation of the student's disability, or if the parent disagrees with any decision of the IEP Team regarding placement, the parent may request a due process hearing (see Part VII for a full explanation of due process hearing rights and procedures).

If the hearing officer finds for the parent, the student cannot be expelled or suspended for more than 10 school days. If the hearing officer finds for the district, the district may utilize the same disciplinary procedures, including expulsion, as it uses for any other student **except**:

a. Special education services cannot cease entirely.

b. An IEP Team must convene after the expulsion to develop an IEP that specifies what special education and related services will be provided during the period of suspension or expulsion. These services must enable the child to appropriately progress in the general education curriculum and appropriately advance toward achieving the goals of his or her IEP.

Placement During a Hearing

If the parent requests a due process hearing to challenge an IAES or the manifestation determination, the student must "stay put" during the pendency of the hearing in relation to disciplinary proceedings.

a. "Stay put " for simple change of placements is the placement prior to the removal.

b. For a student placed in an IAES for a weapons/drug violation, "stay put" is the IAES. The student will remain in the IAES until the time line for that placement expires.

c. Upon expiration of the IAES timeline, the student will be placed in the setting he or she was in prior to the IAES. However, if school personnel maintain that it is dangerous for the student to return to that placement, the district can request an expedited hearing.

Students Not Yet Eligible for Special Education and Related Services

A student who has not been determined eligible for special education and related services and who has engaged in behavior that violated any rule or code of conduct of the district, may assert any of the protections of the IDEA 97 if the district had knowledge that the student had a disability before the behavior that precipitated the disciplinary action.

1. *Basis of Knowledge*

The district shall be deemed to have knowledge that an individual is a student with a disability if:

a. The parent of the student has expressed concern, in writing, to district personnel that the student is in need of special education and related services, unless the parent is illiterate or has a disability, which prevents a written statement.

b. The behavior or performance of the student demonstrates the need for special education and related services.

c. The parent of the student has requested an evaluation of the student.

d. The teacher of the student, or other district personnel, have expressed concern about the behavior or performance of the student to the director of special education or to other district personnel, in accord with the district's Child Find or special education referral system.

A district would **not** be deemed to have knowledge if the district:

a. had conducted an evaluation and determined that the child was not a child with a disability.

b. had determined that an evaluation was not necessary and provided appropriate notice to the parents.

2. *No Basis of Knowledge*

If the district does not have knowledge that an individual is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures applied to students without disabilities who engage in comparable behaviors.

3. *Parent Requests for Evaluations*

If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Pending the results of the evaluation, the student shall remain in the educational placement determined by district officials. If the student is determined to be a student with a disability, based on information from the evaluation conducted by the district and information provided by the parent, the district shall convene an IEP Team meeting to develop an IEP and conduct a manifestation determination (see Appendix J for further information on completing manifestation determinations).

Transfer of Discipline Records

When the district initiates disciplinary procedures applicable to all students, the special education and disciplinary records of students with disabilities must be transmitted for consideration by the person(s) making the final determination regarding the disciplinary action. Whenever a student transfers to a new school and a school record contains information concerning violent or disruptive behavior or disciplinary action involving a student, this information should be included in the transfer of records to the new school.

Referrals and Action by Law Enforcement and Judicial Authorities

Nothing in the IDEA 97 shall be construed to prohibit the district from reporting a crime committed by a student with a disability to appropriate authorities. The IDEA 97 does not prevent state law enforcement or judicial authorities from exercising their responsibilities with regard to the application of federal and state law, to crimes committed by a student with a disability. If the district reports a crime committed by a student with a disability, it must ensure that, only to the extent permitted by the Family Educational Rights and Privacy Act of 1974 (FERPA), copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime. Absent parent consent, FERPA allows disclosure if pursuant to a subpoena or court order, in conjunction with an emergency, or pursuant to a state statute concerning the juvenile justice system.

Suspension and Expulsion Rates

Districts must maintain data on their rates of suspension and expulsions for drug and weapons violations. Such data will be examined by the department to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of students with disabilities compared to the rate for non-disabled students within the district. If such discrepancies are occurring, the district will review and revise its policies, procedures, and practices as needed in relation to the development and implementation of IEPs, the use of FBAs and BIPs, procedural safeguards, and overall compliance with the IDEA 97.

SECTION 12. EXTENDED SCHOOL YEAR (ESY) SERVICES

The goal of an ESY program is to assist children with disabilities with the emergence, maintenance, or critical generalization of specific IEP objectives learned the year preceding the ESY. These may include goals related to self-sufficiency, behavior, socialization, communication, and academics. ESY services for children receiving special education provide a different focus from general summer school programs.

Definition

Extended school year services means special education and related services that meet state standards and are provided to a child with a disability:

1. Beyond the normal school year.
2. In accordance with the child's IEP.
3. At no cost to the parents of the child.

Determination of the Need for ESY

Students qualify for ESY services in three general areas: emerging skill, regression/recoupment, or self-sufficiency. ESY services must be provided only if a child's IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child. Provision of ESY services for one year does not mean that the child needs such services each year. A district may not limit ESY services to particular disability categories or unilaterally limit the type, amount, or duration of those services.

ESY services can be based on one or more of three general areas using the following guidelines. A "yes" response to all questions within one area provides a strong indication that ESY services are warranted.

1. Emerging Skill

   When few, if any, gains are made during the regular school year and a critical skill is in the process of emerging, and it is believed that with ESY services the child could make reasonable gains, then ESY services must be considered. Collect documentation to assist the IEP Team in determining the following:

   a. Does progress toward the goals and objectives or benchmarks over an extended period show few, if any, gains?

   b. Is a skill emerging?

   c. Does documentation support that ESY services are needed to avoid irreparable loss of the learning opportunity?

2. Regression/Recoupment

   When the child would regress to such an extent and the amount of time required to re-learn skills or behaviors becomes so significant that he or she would be unable to benefit from his or her special education program, then ESY services must be considered. Collect documentation to assist the IEP Team in determining the following:

   a. Do progress reports and data show that the child demonstrates periodic regression, which is related to breaks in instruction throughout the school year?

   b. Do progress reports and data show that the child regresses and cannot re-learn the skills in a reasonable amount of time following the breaks?

   c. Does documentation support that without ESY services the child would regress to such an extent and have such limited recoupment ability that he or she would be unable to benefit from his/her special education program?

3. Self-sufficiency

   When the acquisition of critical life skills that aid in the child's ability to function as independently as possible, thereby reducing the child's reliance on caretakers or other institutionalized care, would be threatened by an interruption in services, ESY services must be considered. The IEP Team should collect documentation to assist in determining the following:

   a. Does documentation identify critical life skills that are needed for independence?
   b. Will failure to maintain acquired critical life skills cause major or permanent loss of the skills and create a dependence on caregivers?
   c. Without ESY services, would the child fail to maintain these critical life skills?

ESY IEP Development

ESY services must be clearly delineated in an IEP. The district can meet this requirement by amending the current IEP on an amendment form or developing a complete ESY IEP. Both require an IEP Team meeting and prior written notice to parent(s). The district must ensure that personnel responsible for implementing the ESY IEP have access to the IEP.

Basic Concepts

1. To be considered for ESY services, the child must be identified as having a disability and must currently be receiving special education services and/or related services as defined by an IEP.
2. Determination of the need for ESY must be made only for the immediate period of interruption of the instructional program. The provision of ESY for the immediate period does not imply that ESY will be required for subsequent periods.
3. The critical skills that are the focus of the ESY services are best determined at the time of the development of the annual IEP. However, an IEP meeting may be convened during the year to review the need for ESY. The ESY program developed should reflect the current goals and objectives or benchmarks from

the IEP. It must also consider the child's ability to acquire the skill, and be a priority for the child's developmental age.

4. The child's educational program is based on individual needs and not determined by what programs are readily available within the district.
5. The child cannot be required to fail, or to go for an entire year without ESY services, simply to prove that a need exists.
6. The IEP Team shall determine the duration, frequency, and type of services that each child shall receive during the ESY. The goals and objectives or benchmarks should be continuations of all or part of the previous year's IEP, although ESY instruction may be modified in order to enhance emergence, maintenance, and/or generalization.
7. School districts shall not automatically or categorically exclude or include any child or group from consideration for ESY services.
8. ESY services may include special education and/or related services.
9. While ESY services must be provided in the least restrictive environment, districts are not required to create new programs as a means of providing ESY services to students with disabilities in integrated settings if the district does not provide services at that time for its nondisabled children.
10. Districts may provide ESY services in a non-educational setting if the IEP Team determines it is appropriate.
11. ESY services must be provided when ordered by a due process hearing officer. If the district chooses to appeal, the child must be provided with ESY services pending the result of the appeals process.

In Case of a Dispute

It is important for the district to make decisions regarding the provision of ESY for a child early enough in the school year to allow parents time to exhaust administrative remedies if they disagree with the decision of the IEP Team. In the event that the parent disagrees with the decision of the team not to provide ESY services, and the district has not allowed sufficient time for the parents to dispute the decision through due process, the child must be provided with ESY services pending the outcome of the administrative proceedings.

Parents should be given a reasonable amount of time after being notified to respond to a district's decision to not provide ESY services to their child. If a timely response is not received from the parents, then the district is not required to provide the child with ESY services pending the outcome of administrative proceedings. Any time restrictions should be reasonable and be clearly explained or otherwise made known to the parents.

SECTION 13. SECONDARY TRANSITION SERVICES

The intent of the secondary transition services requirements in the IDEA 97 is to improve the quality of life of young adults with disabilities. The goal is to enable every student to gain access to the services that are necessary for him or her to achieve their desired post-school outcomes and to have services in place before leaving the school setting.

The IEP process should include the active participation of the student in developing a vision or blueprint to prepare him/her for adult life. Person-Centered Planning (PCP) is one method for facilitating the student's participation (see Appendix G for an example). Using this method, the IEP Team:

1. Thinks about the student's dreams and goals for the future.
2. Learns how the student is currently performing.
3. Identifies what the student will learn and do this year and in the remaining years in school to achieve the dreams and goals for the future.
4. Identifies the supports and services the student needs for success.
5. Stays as close as possible to what the student's peers are learning and doing.

Transition planning, as a focus for a student's IEP, may begin at any point in a student's educational life prior to age 14.

Definition of Transition Services

Transition services are defined as follows:

1. A coordinated set of activities, designed within an outcome-oriented process, that promote the student's movement from school programs to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
2. Based on the individual student's needs, taking into account the student's preferences and interests; and
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when

appropriate, acquisition of daily living skills and functional vocational evaluation.

Note: Transition services may be special education if they are specially designed instruction, or related services if they are required to assist a student with a disability to benefit from special education.

A Process for Addressing Transition Services through the IEP

The IEP Team must view the transition requirement as an integral component of the IEP, rather than a single or separate event in the IEP process. The transition statements, LRE sections, related services, participation in general education, annual goals, short-term objectives/benchmarks, etc. must all be related and integrated.

A recommended IEP meeting process designed to focus and coordinate the IEP planning, discussion, and decision making toward preparation for the adult world is described below. This process recognizes that each step in the discussion, planning, and decision making builds upon the previous step and has a direct relation to all other steps. This process ties all the IEP pieces together, and results in a coordinated plan that helps students prepare for adult life(see Appendix G for examples of transition plans).

Step 1: Identify the student's post-school desired outcome or vision.

Step 2: Describe the student's present levels of educational performance.

Step 3: Design a statement of transition service needs.

Step 4: Design a statement of needed transition services.

Step 5: Determine annual goals, short-term objectives/benchmarks.

Recommended IEP Team Members and Their Roles

1. *Student*
   a. Actively participates in all discussions and decisions.
   b. Communicates strengths, areas they need help, how they are doing in their classes, their desired post school goals, their preferences and their interests.

   Many schools have found that with coaching and instruction students often lead their own IEP Team meetings.

2. *Parent and/or family*
   a. Provides information on student's strengths, areas where assistance is needed, chores and activities at home, and concerns.

b. Is actively engaged and an equal partner in the planning, discussion and decision making.

3. *Special education teacher*

   a. Provides information on the student's strengths, current IEP goals and progress, and strategies for effectively teaching the student.

4. *District Representative*

   a. Assumes responsibility for allocating resources and making decisions to ensure that the IEP is implemented.

5. *Regular education teacher*

   a. Provides insight on courses of study in the general education curriculum that would help the student achieve his or her post-school goals.

   b. Assists in identifying needed modifications and adaptations in the general education setting and on state- and district-wide assessments.

   c. Provides positive behavioral strategies or interventions and suggestions for needed school personnel supports.

6. *Agency Representatives*

   a. Provide information about various services provided by the agency, eligibility criteria, and procedures for accessing services.

   b. Assumes responsibility for paying for specific transition services.

Transition Requirements at Age 14

The IEP for each student, beginning at age 14, must include a statement of the transition service needs. This statement focuses on the student's course of study. The statement of transition service needs is the identification of, and planning for, educational courses (required, elective, modified or specially designed courses as well as other educational experiences in the school or the community) that the student will be taking in each grade after turning 14 years old. The concept is to identify not only the required courses that lead toward graduation or completion of a secondary program, but also to think about, plan for, and ensure that all courses and educational experiences will help the student achieve his or her desired post-school goals (O'Leary, 1998).

Transition Requirements at Age 16

When developing the statement of needed transition services, the IEP Team must consider at a minimum the following areas: instruction, related services, community experiences, employment, and post-school adult living objectives. If it is determined appropriate, then the statement must also address daily living skills and a functional vocational evaluation. The IEP Team may determine that a student does not require services in all the transition planning areas. A brief description of each planning area follows:

1. Instruction – use of formal techniques to impart knowledge. Typically provided in schools, but could be provided by other entities in other locations.
2. Related Services – transportation and such developmental, corrective, and other supportive services as are required to assist a student with a disability to benefit from special education.
3. Community Experiences – services provided outside of the school building, in community settings or other agencies.
4. Employment/Other Post-School Adult Living Objectives – services that lead to a job or career, and important adult activities. Services could be provided by schools or other agencies.
5. Daily Living Skills – activities adults do every day. Services could be provided by schools or other agencies.
6. Functional Vocational Evaluation – assessment that provides information about job or career interest, aptitudes and skills. Assessments could be provided by school or other agencies.

(Adapted from: Individuals with Disabilities Education Act: Transition Requirements, A Guide for States, Districts, Schools and Families, 1996)

Assistive Technology

The provision of assistive technology devices and services may play a part in the transition of students from school to adult environments. Assistive technology services may include training and technical assistance for professionals, employers or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

The IEP Team should consider the existing technology needs of the student and any future technology needs in the adult environment. Transition planning should include strategies for acquiring new assistive technology devices to replace needed technology that is the property of the school district.

Agency Responsibilities

The transition planning process should help the IEP Team identify the interagency responsibilities and/or linkages needed to assist the student in transitioning to adult living and working environments. Adult service providers should be involved actively in the planning process, and the IEP should show evidence of anticipating the future services that the student will need.

Agencies working as part of the IEP Team determine who bears the cost of necessary transition services. The IEP transition statement should include the interagency linkages necessary to communicate the shared responsibility for transition services between the district and all appropriate agencies and/or providers.

The school district does not have the sole financial responsibility and is not to be held liable for failure of another agency to implement transition services outlined in the IEP that are designated the responsibility of another agency. However, if a public agency fails to provide agreed upon transition services, the district is responsible for reconvening a meeting of all participants on the IEP Team to identify alternative strategies to be implemented to meet the transition objectives that were included in the student's individualized education program.

Alternative strategies might include the identification of another funding source, referral to another agency, identification of other district-wide or community resources that can be used to meet the student's identified needs. If an agency fails to provide or pay for special education or related services, including transition services, the district must, without delay, provide or pay for the service and may then claim reimbursement.

Interagency Cooperative Agreements

Each district must develop and implement written referral procedures for students who need transition services from other agency service providers. These procedures include:

1. Disseminating information about agency services and eligibility criteria to appropriate staff, students with disabilities and their parent/guardian;
2. Providing agencies with lists of students to be screened for eligibility for agency services in accordance with confidentiality policies; and
3. Providing agency service providers with educational histories, evaluations, and current IEPs on students referred for services in accordance with confidentiality policies.

Each district is encouraged to develop interagency agreements and annual implementation plans that detail specific activities to be undertaken by the district and other agency service providers in order to refine and improve the transition process.

Confidentiality

Confidentiality is an important factor to consider as the IEP Team expands to meet the individual needs of students. The invitation to the IEP meeting is one way to provide all participants with notification of who will be included on the planning team.

If information contained in the records of a student with disabilities is to be released to an agency other than another educational agency, the school district must ensure that written consent is provided by the parent and/or student prior to the release of any confidential information (see Appendix E for sample Authorization for Release of Confidential Information form).

Program Completion

High school graduation is considered a change of placement for a student with a disability. The district's responsibility for providing special education and related services ends upon the granting of a regular high school diploma or when the student is no longer eligible for services due to age (see Part IV). A properly prepared transition plan should indicate the proposed date for termination of special education services. An IEP meeting should be held at an appropriate time before the student graduates or special education services are terminated. Parents must be provided with written notice, including their due process rights, and have access to due process hearing procedures.

SECTION 14. ASSISTIVE TECHNOLOGY DEVICES & ASSISTIVE TECHNOLOGY SERVICES

An assistive technology device is any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities. This includes a broad range of devices from low technology to high technology items as well as software.

An assistive technology service is any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. This service includes:

- Evaluation of the technology needs of the individual, including a functional evaluation in the individual's customary environment.
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices for individuals with disabilities.
- Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing, or replacing of assistive technology devices.
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs.
- Training or technical assistance for an individual with a disability, or, when appropriate, that individual's family.
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or otherwise are substantially involved in the major life functions of individuals with disabilities.

Assessment Process

The assessment process for a child referred for special education may include the consideration of whether or not assistive technology is necessary for the child to achieve educational goals, benefit from education, or make reasonable progress in the least restrictive educational setting. The evaluation team should be multidisciplinary and may involve occupational therapists, physical therapists, speech-language pathologists, assistive technology specialists, special and regular education teachers, adapted physical education teachers, rehabilitation counselors, parents and caregivers. At least one member of the team should be knowledgeable in assistive technology.

Assessment of the need for assistive technology devices or assistive technology services is always done in light of the child's ability to access the curriculum. During the assessment process, several means of benefiting from the educational program should be explored and the effectiveness documented.

Assistive Technology Devices and/or Services Designated in the IEP

If the IEP Team determines that the child requires assistive technology in order to access the curriculum and receive FAPE, and the IEP Team designates the need for assistive technology as either special education or a related service, the IEP must include a specific statement of such services, including the nature and amount of such services. The inclusion of assistive technology in the IEP requires a degree of specificity so that it is clear how and why the technology will be used to accomplish a particular goal.

Assistive technology can be a form of supplementary aid or service utilized to facilitate a child's education in a regular educational environment. Such supplementary aids and services, or modifications to the regular education program, must be included in a student's IEP.

Technology devices and/or services designated in the IEP must be provided at no cost to the parents. However, the district does not need to provide assistive devices if a meaningful and beneficial education can be provided to the child without the equipment.

Ownership of Equipment

Technology devices purchased by the school district, belong to the district. Distribution and use of devices are under the district's control as long as the needs designated in the IEP are being met. School district insurance policies usually cover devices purchased by the district for student use. Devices purchased with other funding sources may or may not be covered while on school premises. It would behoove school staff and parents to investigate the district's property insurance to determine what is currently covered and whether or not the policy insures against loss or damage of assistive devices.

In general, the district is responsible for repair and maintenance of assistive devices used to support programs described in the IEP.

On a case-by-case basis, the use of school-purchased assistive technology devices in a child's home or in other settings is required if the child's IEP Team determines that the child needs access to those devices in order to receive FAPE.

SECTION 15. PARENT & DISTRICT DISAGREEMENT WITH AN IEP

If there is a disagreement between the district and the parents, the district must provide the parents with prior written notice. If the parents, within 10 school days, initiate a hearing as a result of a disagreement, the last IEP shall remain in effect until the disagreement is resolved. If after 10 school days no hearing has been initiated, the district shall implement the new IEP. The parents and district could agree to an interim course of action for serving the child until the disagreement is resolved.

SECTION 16. CHARTER SCHOOLS

In Alaska, a charter school operates as a school in the local school district except that the charter school is exempt from the local school district's requirements in terms of textbooks, curriculum, and scheduling, and is also exempt from the Alaska statute requiring a chief school administrator. The principal of the charter school is selected by the academic policy committee and selects, appoints, and otherwise supervises employees of the charter school. Charter schools operate under an annual budget as set out in the contract between the local school board and the charter school.

Children with disabilities who attend charter schools, and their parents, retain all rights under Part B. The IDEA 97 requires the local district to serve children with disabilities attending charter schools in the same manner as it serves children with disabilities in its other schools; and to provide federal funds to those schools in the same manner as it provides those funds to its other schools.

SECTION 17. STATEWIDE CORRESPONDENCE STUDY PROGRAMS

A school district may enroll an out-of-district student who requires special education and related services in its approved statewide correspondence study program. The enrolling district shall ensure that all children with disabilities enrolled in its program are identified and located for the purpose of establishing their need for special education and related services.

Correspondence programs that enroll children who require special education and related services shall ensure that each child receives special education services through an individualized cooperative agreement with the district where the child resides.

In addition to the information in other cooperative arrangements required for correspondence programs, the cooperative agreement for children requiring special education or related services must include:

1. The plan of services to be provided to the child.

2. The identification of the members of the IEP Team from each district in which the child is enrolled.
3. A description of the manner in which each teacher who works with the child in the correspondence school will participate as a member of the IEP Team for each child.

The plan and the cooperative agreement must include the identification of each student in a manner that complies with confidentiality requirements.

SECTION 18. PRIVATE SCHOOLS

Prior to the passage of the IDEA 97, the responsibility of school districts for services to children enrolled in private schools was unclear and a frequent subject of litigation. This section incorporates new statutory language and clarifies district responsibilities. While federal law states that children who are voluntarily enrolled in private schools by their parents are not entitled to all of the same services as are public school students, this is not consistent with Alaska State law. In Alaska, districts must provide services to children with disabilities in private schools as they would if the child was enrolled in a public school. The kind and amount of service is determined by the IEP Team.

Child Find for Private School Students

The district must identify, locate, and evaluate all children with disabilities residing within its jurisdiction, including children placed in private schools by their parents. The Child Find activities for private school children with disabilities must be comparable to activities undertaken for children with disabilities in public schools. Therefore, the requirements of Child Find in Part II of this Handbook shall apply with respect to children with disabilities who are enrolled in private or parochial elementary or secondary schools. Districts must consult with appropriate representatives of private school children on how to best carry out Child Find activities.

Definitions of Private School Students

To describe the district's responsibilities for serving children in private schools, it is helpful to distinguish three categories of these children. These categories are defined by who enrolls or places the child in a private school and why.

1. *District Placement*

   The district may place a child in a private school to fulfill its obligation to provide FAPE. These placements are always made by an IEP Team.

2. *Voluntary Enrollment by Parents*

   The district makes FAPE available to the child but the parents choose to enroll their child in a private school for a variety of personal reasons such as to obtain a religious education or to attend a school with a particular philosophy or curriculum. This is considered a voluntary enrollment.

3. *Unilateral Placement by Parent*

   Parents may withdraw a child with a disability from a public school because they believe the district has not provided FAPE in a timely manner. The parent then enrolls the child in a private school they believe will provide FAPE and seeks reimbursement from the district for the cost of the private school education. This is considered a unilateral placement.

District Responsibility for Children Placed by the District

When a district refers or places a child with disabilities in a private school or facility, the district must ensure that:

1. The child is provided an education that meets all standards that apply to educational services provided by the state and the district that are necessary to provide FAPE, e.g., personnel standards.
2. Special education and related services, in accordance with the IEP services, are provided at no cost to the parents.
3. The placement in the private school or facility is the LRE for that child.
4. The child is afforded the same rights as children with disabilities served by the school district.

When an appropriate educational program cannot reasonably be made available for a child with a disability within the child's community or school district, the district may send the child to an educational program or residential school outside the child's community or school district for appropriate special education services. The sending district shall pay all costs of the transfer.

The district must, prior to placement of the child in an out-of-district program, initiate and conduct an IEP meeting. The district must also ensure that a representative of the out-of-district facility attends the meeting. If the representative of the facility cannot attend, the district shall use other methods to ensure participation, such as individual or conference telephone calls.

Note: Should the private placement be residential and the parent incur expenses, including telephone calls and travel to and from the site, these expenses should be paid by the district. Also, should a dispute arise as to the appropriateness of the child's program at the private school, while both the parents and the district would have due process rights, the private school would not.

District Responsibility for Children Voluntarily Enrolled by Parents

The district must make provisions for children with disabilities who are enrolled in private schools by their parents to receive Part B services with the following requirements of the IDEA 97 and consistent with Alaska State statutes:

1. The district must make available, special education and related services, as determined appropriate by the IEP Team, to children with disabilities attending private schools.
2. Services may be provided to children with disabilities on the premises of private schools, including parochial schools

   Note: There is no requirement that services be provided on site to private school children. However, to the extent such is possible, districts are encouraged to do so to minimize the cost of transportation and reduce disruption in the child's education.

3. The district must provide transportation when it is necessary for the child to benefit from, or participate in, the services made available e.g., from the child's school/home to a site other than the private school and from the service site to the private school child's home, but not from the child's home to the private school.

District Responsibility for Children Unilaterally Placed by Parents

General Reimbursement Provisions

The district is not required to pay for tuition, special education, or related services at a private school or facility for a child who was unilaterally placed there by parents if the district made FAPE available to the child in a timely manner. However, a court or hearing officer may order the district to reimburse parents for the costs of unilaterally placing the child in a private school if:

1. The child with a disability was previously receiving special education and related services from the district; and

2. It is determined the district has not made a FAPE available to the child in a timely manner and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet state standards that apply to public education.

Denial or Reduction of Reimbursement

A court or hearing officer may reduce or deny reimbursement to parents for the cost of a unilateral placement under the following circumstances:

1. Prior to removal of the child from the public school, the district informed the parent of its intent to evaluate the child, but the parents did not make the student available for evaluation.
2. A judicial decision finds unreasonableness with respect to the actions taken by the parent.
3. The parents did not inform the district that they rejected the placement proposed by the district to provide FAPE and did not state their concerns and intent to enroll the child in a private school as follows:
   a. This notification must be provided to the IEP Team at the most recent IEP meeting prior to removing the child from public school; or
   b. Must be provided to the district in writing at least 10 days prior to removing the child from public school.

Except that reimbursement will not be reduced or denied if:

a. The district did not notify the parent(s) of the parent's obligation to provide the notice set forth in 3 (a-b) above;
b. The district prevented the parent from providing notice;
c. The district's proposed placement would result in physical or serious emotional harm to the child; or
d. The parent is illiterate and cannot write in English.

Other Issues Related to Private Schools

1. *Separate classes prohibited*

   A district may not use federal special education funds for classes that are organized separately on the basis of school enrollment or religion of children if the classes are at the same site and the classes include children enrolled in public schools and children enrolled in private schools.

2. *Funds not to benefit a private school*

   Federal and state funds and property derived from those funds may not provide a benefit to the private school.

3. *Use of personnel*

   A district may use federal special education funds to make public personnel available to private schools to the extent necessary to provide equitable program benefits for eligible children enrolled in a private school, if these benefits are not normally provided by the private school.

   A district may use federal special education funds to pay for the services of an employee of a private school if the employee is qualified to perform the services, performs the services outside of his or her regular hours of duty and the employee performs the services under public supervision and control.

SECTION 19. JUVENILE & ADULT CORRECTIONAL FACILITIES

A district has the obligation to identify youth in juvenile detention centers and adult correctional facilities located within the district's jurisdiction who are in need of special education services. The district must make FAPE available to these youth. However, the requirement does not extend to youth, ages 18 through 21 who, in the educational placement prior to their incarceration in an adult correctional facility were not actually identified as being a student with a disability and did not have an individualized education program.

The previous exception does not apply to a student who had been identified as a child with a disability and had received services in accordance with an IEP, but who left school prior to incarceration, or did not have an IEP in their last educational setting, but had been identified as a child with a disability.

SECTION 20. REVIEW/REVISION OF IEP

Parents, teachers or others can request that an IEP meeting be held for purposes of review or revision. The decision regarding if, when, and where the meeting will be held rests with the district, although collaboration with parents is expected. The district should grant any reasonable request for an IEP meeting. Any changes in an IEP, including changes in the short-term objectives or benchmarks, and changes in the amount of services listed in the IEP, require an IEP meeting.

The IEP must be reviewed at least annually. This process is accomplished by evaluation of the current IEP and development of a new IEP. The IEP review is conducted to accomplish the following purposes:

1. To determine whether the child's annual goals are being achieved.
2. To revise the IEP if there is any lack of expected progress toward annual goals and in the general curriculum, when appropriate.
3. To determine if an additional assessment is necessary and address the results of those conducted.
4. To address information about the child provided to, or by, the parents;
5. To monitor the continuing eligibility of the child.
6. To write a new IEP with revised goals and objectives to meet the child's anticipated needs for the next year.

When changes in the IEP are required at times other than the annual review date, these changes may be affected through a scheduled IEP meeting utilizing one of the following options:

1. Review the entire plan and establish a new annual review date.
2. Use an amendment form. When this option is used, the change becomes a part of the IEP and must be reviewed on the IEPs original annual review date (see Appendix D for a sample IEP Amendment form).

SECTION 21. IEPS FOR CHILDREN FROM INFANT/TODDLER PROGRAMS

1. Transition Planning

The district will develop and have in effect an interagency agreement with the local early intervention program. The agreement will outline the obligations of each cooperating agency to ensure a smooth and effective transition of those children assisted under Part C (formerly Part H) to early childhood special education programs under Part B.

In the case of a child who may be eligible for services, the district will participate in a transition planning conference with the family that is arranged by the early intervention program. The conference will be conducted at least 90 days (and up to 6 months at the discretion of all parties) before the child's third birthday to discuss any services the child may receive.

In addition, the early intervention program has the responsibility to review the child's program options for the period from the child's third birthday through the remainder of the school year and establish a transition plan that includes steps to support the transition of the toddler with a disability to preschool services. The interagency agreement should outline the district's participation in this process.

2. **IEP Required**

A preschool student aged 3 through 5 years who is eligible for services must have an IEP in place by his or her 3rd birthday.

3. **Consent and Notice Requirements**

The district must obtain parental consent for release of information to obtain pertinent child records from non-educational agencies.

At the transition planning meeting, if further individual assessments are necessary to determine the child's present levels of performance and eligibility, parental consent to evaluate is required. Otherwise, prior written notice to inform the parent of the district's decision to use the current evaluation data, and not to conduct any further assessments, must be provided to the parent.

Regardless of whether a district gains consent or does not need consent to evaluate, when a preschool child with a disability transitions from a Part C program, parental consent for initial placement in a Part B program and prior written notice of the proposed placement are required. Eligibility and initial placement must be documented for Part B services.

PART V

PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT

Sections

1. Introduction
2. Responsibility for Placement
3. General Placement Procedures
4. Continuum of Alternative Placements
5. Justification for Placement
6. Consent for Initial Placement in Special Education
7. Annual Determination of Educational Placement
8. Least Restrictive Environment Requirements in Private Schools

SECTION 1. INTRODUCTION

The IDEA 97 states that, to the maximum extent appropriate, students with disabilities are to be educated with students who are not disabled. This concept is known as the least restrictive environment (LRE). The IEP must contain an explanation of the extent, if any, to which the student will not participate in the regular education classroom and curriculum, extracurricular activities, or other nonacademic activities.

SECTION 2. RESPONSIBILITY FOR PLACEMENT

The overriding rule is that placement must be made on an individual basis. The placement decision must be made by the IEP Team. The term *placement* means the setting in which special education services are provided, not the specific classroom teacher or school. The IEP team must include the parents and other persons knowledgeable about:

1. The child.
2. The meaning of the evaluation data.
3. The placement options.

If there is disagreement between the parents and the district over the placement decision and a hearing is initiated by the parents, the child must "stay put" unless a temporary placement is agreed upon by the district and the parents.

SECTION 3. GENERAL PLACEMENT PROCEDURES

The IEP Team must adhere to the following procedures when making a placement decision:

1. **Placement based on IEP:** The placement decision must be based on the child's IEP.
2. **Placement decision after IEP:** The placement decision must be made after the IEP is completed.
3. **Placement decision made by the IEP Team:** The placement decision must be made by the IEP Team and must consider the continuum of placement options. All options must be available for consideration, even if a school site or district has a policy of being fully inclusive. The IEP team must include persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

4. **Draw on a variety of sources:** In making the placement decision the IEP Team must use information drawn from a variety of sources including teacher recommendations and parent input. Information may include achievement data, performance on social and behavior rating scales, and language spoken in the home.

5. **Continuum of alternative placements:** Each district must have a continuum of alternative placements available at all times to meet the individual needs of children with disabilities (see Section 4 below).

6. **Consideration of harmful effects:** In selecting the placement, consideration must be given to any potential harmful effect on the child or on the quality of services.

7. **Removal only when unsatisfactory achievement documented:** Special classes, separate schooling or other removal of children with disabilities from the regular classroom environment may occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

8. **Involvement with peers who do not have disabilities:** Children with disabilities have the right to be educated in the regular setting to the greatest extent possible with their peers who do not have disabilities. This provision includes children with disabilities placed in a public or private institution or other care facility. The placement decision is not where the child is educated, but rather with whom.

9. **Modifications in the general curriculum are not a basis for removal**: A child can not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

10. **Placement in home school or closest to home:** A child with disabilities should be enrolled in the school he or she would attend if not disabled, unless the IEP requires another arrangement. If the child cannot be educated in the neighborhood school, the child must be provided an educational program as close to home as possible.

11. **Variety of educational programs and services equally available:** Each district shall ensure that children with disabilities have the variety of educational programs and services available to children without disabilities.

12. **Participation in non-academic and extra-curricular activities:** Children with disabilities must be allowed to participate with other children who do not have disabilities in non-academic and extracurricular services and activities to the maximum extent appropriate

13. **Age-appropriate placements:** In recommending a placement outside the regular classroom environment, the IEP Team shall recommend placement in classrooms and schools with similar age peers.
14. **Placement is determined annually:** The placement, including the justification, must be considered at least annually.

Questions to ask to determine compliance with LRE requirements:

1. Can education in the regular classroom be achieved satisfactorily with the use of supplemental aids and services?
2. Have steps been taken to accommodate the student in a regular education environment?
3. Have more than mere token gestures been made to accommodate the student?
4. Will the student benefit from regular education?
5. What has been the student's overall educational experience in regular education environments?
6. What effect does the presence of the student with a disability have on a regular classroom environment?
7. If education can not be satisfactorily achieved in a regular classroom, has the student been included with children without disabilities to the maximum extent appropriate? For example, has the school taken intermediate steps, such as placing the student in regular education for some academic classes and in special education for others; including the student in nonacademic classes only; or providing interaction with children without disabilities during lunch and recess?

SECTION 4. CONTINUUM OF ALTERNATIVE PLACEMENTS

The district must ensure that a continuum of alternative placements is available at all times to meet the needs of children with disabilities for special education and related services. These placements include the following:

Option 1. The regular classroom with additional support services. The child remains in the regular classroom. The teacher and/or child is provided with special equipment and supplies, special transportation, paraeducator services, or other supportive services. The regular classroom teacher or paraeducator conducts classroom activities, while the special education teacher or therapist works with the regular classroom teacher or paraeducator to implement the IEP.

Option 2. The regular classroom with direct services from special education personnel. The child remains in the regular classroom. A special education teacher or therapist works with the regular teacher and provides instruction in the regular class to an eligible child whose identified needs can be met with part-time support. The instruction may be on an individual or small group basis and is always coordinated with the regular class activities.

Option 3. The regular educational environment with special education itinerant or resource support. The child receives as much of the regular classroom instruction as appropriate. Additional educational experiences are provided by a special education teacher or therapist in a pull-out program designed to meet identified needs. The duration of time spent with the teacher or therapist is determined by the degree of intervention necessary to meet the child's needs. The instruction may be provided on an individual or small group basis and is always coordinated with the regular class activities.

Option 4. The regular education environment with self-contained classroom support. The child receives any regular classroom instruction from which he or she can benefit. The majority of instruction is provided in a self-contained classroom. Integration with nondisabled peers may occur in the regular classroom, and in non-academic and extra-curricular activities as determined by the IEP Team.

Option 5. Full-time instruction in a separate day school. The child receives all instruction in a separate day school. These experiences are supplemented by involvement in those parts of the regular school program that are appropriate.

Option 6. Home or hospital instruction. The home or hospital program consists of instructional and/or supportive services provided by the school to a child in his home, in a convalescent home, or in a hospital.

Option 7. Institutional services. The child resides in an institutional setting and receives all instruction in this setting. Involvement with nondisabled peers is provided as indicated in the IEP.

The following special education placements may be considered for **preschool** children with disabilities:

Option 1. Homebased services.

Option 2. Preschool classrooms located in regular elementary schools or other preschool programs operated by public agencies (such as Headstart).

Option 3. District operated preschool programs.

Option 4. Preschool classrooms in private preschools.

Option 5. Preschool classrooms located in facilities that serve only children with disabilities.

A combination of these options may be provided to a child upon the demonstration of need and the recommendation of the IEP Team.

SECTION 5. JUSTIFICATION FOR PLACEMENT

The IEP Team must provide a written statement on the IEP justifying the need for special education services that are more restrictive than full-time services in the regular classroom (i.e., options 3 through 7). Such a statement justifying a more restrictive placement should answer the following questions, as applicable:

1. What supplemental aids and services (e.g., curriculum adaptation, paraeducational assistance, assistive technology, resource or itinerant instruction) have been considered to address the student's needs?
2. Based on factors identified in the present levels of educational performance or in the student's educational goals and objectives, did the team consider the need to:
   - develop a behavior intervention plan?
   - furnish additional training to the service provider?
   - address the developmental level of the student's language skills and social skills?
   - assure student participation in non-academic and extra-curricular activities?
3. What factors identified in the present levels of educational performance or in the student's educational goals and objectives require placement in a self-contained classroom in a local school building rather than in a regular classroom with itinerant or resource support?
4. What factors identified in the present levels of educational performance or in the educational goals and objectives require placement in a self-contained classroom in a special school building, rather than in a self-contained classroom in the child's home school or in a regular classroom with itinerant or resource support?
5. What factors identified in the present levels of educational performance or in educational goals and objectives require placement in an institutional setting or a private day school under contractual agreement, rather than in a self-contained classroom in the local district or in a regular classroom with itinerant or resource support?

Justification for Placement

Justification for placement statements must document that other placement options were considered, as well as the reasons they were rejected. The following are possible statements of justification:

1. Skills are below age and grade expectancy and the student requires a structured special education program to remediate the specifically identified areas of concern. Services can be appropriately provided in the regular education classroom setting with supplemental aids and services.
2. The student's present level of educational performance requires curricular modification and individualized instructional strategies. These services can be appropriately implemented in the regular classroom with direct service from special education personnel for a portion of the day.
3. Academic and cognitive skills are deficient to a level that requires specialized instruction provided in a small group setting for part of the day. This service can be appropriately implemented in a regular classroom with pull-out service from special education personnel.
4. The severity, frequency and consistency of the student's behavior indicate the need for a structured behavior management program that must be provided in a special education classroom. Implementation of the behavior program in the regular classroom has been unsuccessful.
5. The student's present levels of educational performance require total curricular modification and individualized instructional strategies. These services can be appropriately implemented in the regular classroom with direct service from special education personnel for the entire day.
6. The student's academic, social, motor, and independent living skills indicate the need for a highly structured environment. Services can only be appropriately implemented in a special program outside the student's home school.
7. A more restrictive placement is required to protect the health or safety of the student based on documented medical needs. Instruction can best be provided in the home or hospital.
8. The student is so disruptive in a regular school environment, even with extensive support from special education staff, including the use of supplemental aids and services and implementation of positive behavioral support strategies, that the student must be placed in an institution for instructional purposes.

Factors that may **not** be used to determine placement include the category of disability, configuration of the delivery system, availability of educational or related services, availability of space, and administrative convenience.

SECTION 6. CONSENT FOR INITIAL PLACEMENT IN SPECIAL EDUCATION

Before the initial placement of a child in special education, the child's parents must provide the district with written consent. Only a parent, a guardian, a person acting as a parent or a surrogate parent can provide consent for initial placement in special education (see Appendix D for a sample Consent for Initial Placement form.)

Consent means:

- that the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought.
- the parent understands and agrees in writing (i.e. the parent's signature on the consent form) to the carrying out of the activity for which consent is sought and the consent describes that activity and lists any records that will be released and to whom.
- the parent understands that the granting of consent is voluntary and may be revoked prior to the action, requiring consent, transpiring.

Revoking consent means:

- that a parent who has provided consent for initial placement can revoke that consent prior to the placement being made. However, once the placement has been made, a parent cannot revoke consent to revert a child to a pre-placement status.

Note: Once the initial placement has been made, if there is disagreement between the district and the parent, the parents may request a due process hearing

SECTION 7. ANNUAL DETERMINATION OF EDUCATIONAL PLACEMENT

The child's educational placement must be determined at least annually by the IEP Team. In reviewing an educational placement, the general procedures outlined earlier in this Part must be considered. A justification should again be stated for continuing a child in a present placement or for changing the child's placement.

SECTION 8. LEAST RESTRICTIVE ENVIRONMENT REQUIREMENTS IN PRIVATE SCHOOLS

The district must ensure that all eligible children with disabilities enrolled in public and private schools or facilities receive services in accordance with the least restrictive environment requirements outlined in this Part.

PART VI

PROGRAM EXIT

Sections

1. Discontinuation of Services
2. Graduation Requirements for Students With Disabilities

SECTION 1. DISCONTINUATION OF SERVICES

When a student exits from a district's special education program, a Program Exit form should be completed (see Appendix D for a sample Program Exit form). This form should be placed in the front of the student's file and the records retired to closed files.

Students Who Are No Longer Entitled to Services

The district will follow appropriate procedures to discontinue special education and related services to students who are no longer entitled to receive those services.

1. *The student is no longer eligible.*

   If the district suspects that a student no longer meets the eligibility criteria for special education outlined in the IDEA 97, the district will convene an IEP Team meeting to determine if the student still meets the eligibility criteria. The team will arrange to have additional assessments conducted if necessary. If the student is not eligible, the district will provide the parent with written notice of this decision prior to discontinuing special education services.

   Note: If a student reaches the age of majority and asks to be removed from special education, the district must follow appropriate exit procedures.

2. *The student graduates from high school.*

   The district's obligation to provide special education services ends when the student receives a regular high school diploma (see Section 2 of this Part for additional information).

3. *The student reaches maximum age.*

   For students who have not yet graduated from high school with a regular diploma, the district's obligation to provide special education services to an eligible student who is age 21 on the first day of the school term continues for the entire school year, even if the student's twenty-second birthday occurs during the school year.

Note: Procedures to exit a student from special education services may not occur while a student is suspended, expelled, or under disciplinary action.

Change in District Obligation to Provide Services

Under certain circumstances, a student may continue to be eligible for special education services, but the district's obligation to provide services changes.

1. *Transfers*

   When a student moves out of the district, the district will forward the student's cumulative file and special education records to the new district as soon as possible. The district will keep documentation for at least five years to demonstrate that the student was eligible for and received special education services.

2. *Drop out*

   When a student drops out of school, documentation to that effect will be placed in the student's confidential file. If the student re-enrolls, the previous IEP can be implemented if it is still current and appropriate. If not, a new one must be developed.

   Note: In the event that a student chooses to drop out of school, the district should inform the parents and the student in writing of the right to access special education services and to receive FAPE anytime prior to the student's 22nd birthday, if the student continues to meet eligibility criteria.

SECTION 2. GRADUATION REQUIREMENTS FOR STUDENTS WITH DISABILITIES

Graduation means receipt of a regular high school diploma. Participation in a graduation ceremony does not constitute graduation.

Prior Written Notice

Because graduation is a change in placement, the district will provide the parent with prior written notice before the completion of the student's last semester of school. The notice will clearly state that the student will no longer be entitled to receive special education services from the district after graduation with a regular high school diploma. A reevaluation is not required prior to graduation with a regular high school diploma or exceeding the age eligibility for FAPE (22 years).

Alaska High School Graduation Qualifying Examination

In 1997, the Alaska Legislature enacted a law requiring all Alaska high school students to pass an examination in reading, writing, and mathematics before they can receive a high school diploma. Students must pass the High School Qualifying Examination, in addition to completing all course requirements, to earn a high school diploma. Students who do not pass the examination will receive a certificate of attendance. Requirements for passing the examination go into effect with the graduating class of 2002.

In accordance with requirements of the IDEA 97, accommodations necessary for a student to participate in the examination must be identified in the IEP. If the IEP Team determines that the student will not participate in the High School Qualifying Examination, the IEP must state how the student will be assessed. The department is developing an Alternate Assessment for students with significant disabilities who are involved in a functional basic skills education program, rather than the standard curriculum. At this time, students who take the Alternate Assessment will not be eligible to receive a regular high school diploma.

PART VII

PROCEDURAL SAFEGUARDS AND CONFIDENTIALITY

Sections

1. Parent Rights
2. Transfer of Rights at Age of Majority
3. Written Notice/Parental Consent
4. Mediation
5. Impartial Due Process Hearings
6. Surrogate Parents
7. Independent Evaluations
8. Complaint Procedure
9. Confidentiality of Information

SECTION 1. PARENT RIGHTS

A parent of a student with a disability has specific rights or procedural safeguards under the IDEA 97. The district is required to adopt the parents' rights statement developed by the Department of Education & Early Development – the Notice of Procedural Safeguards (see Appendix E).

When Rights Are Provided

The district must give parents a copy of the Notice of Procedural Safeguards:

1. When consent is sought for an initial evaluation.
2. With each invitation to an IEP Team meeting.
3. When consent is sought for reevaluation of the student.
4. When the parent requests a due process hearing.
5. When a disciplinary decision involves removal of a student that constitutes a change of placement.

SECTION 2. TRANSFER OF PARENTAL RIGHTS AT AGE OF MAJORITY

The IDEA 97 outlines procedures for the transfer of parental rights to the student when he or she reaches the age of majority (age 18). Both the parents and the student must be notified of any transfer of rights that will take place. Students are to receive the notification at least one year before they reach the age of majority and a statement must be included in the IEP that the student has been informed of his or her rights, if any, that will transfer to the student on reaching age 18 (see a sample Transfer of Rights letter in Appendix D).

After the student attains the age of majority, if rights transfer, the district must provide any notice required by law (e.g., notice regarding an upcoming IEP Team meeting) to both the student and the parents. All other rights transfer to the student. If the student is determined incompetent under state law, then the rights remain with the parents.

All rights accorded to parents under this part transfer to children who are incarcerated in an adult or juvenile federal, state, or local correctional institution.

SECTION 3. PRIOR WRITTEN NOTICE / PARENTAL CONSENT

There are a number of proposed actions that require written parent notification. Some actions also require parental consent.

Prior Written Notice

A school district shall provide prior written notice to parents of a child with a disability or child with a suspected disability, in a reasonable time (generally ten school days) prior to the following:

1. When the district proposes to initiate or change the:
    - Identification – eligibility for services, need for services, change of disability category.
    - Evaluation – initial evaluation and reevaluation.
    - Educational placement of the child – graduation, program completion, a placement that changes the degree of interaction with nondisabled peers, placement in an interim alternative education setting, suspension for more than 10 days, expulsion.
    - Provision of FAPE to the child – IEP changes.

or

2. When the district refuses to initiate or change the identification, evaluation, or educational placement of the child or refuses to make any changes requested by the parent in the provision of FAPE to the child (see Appendix E for Prior Written Notice form and a table outlining when prior written notice, informed consent, and notice of procedural safeguards must be provided).

Neither prior written notice nor consent is required for tests administered to both regular and special education students in a grade or class, or for teacher-made tests or criterion-referenced tests used to determine the student's progress toward IEP goals and objectives/benchmarks.

If prior written notice relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requests parent consent.

Content of Notice

The prior written notice shall include:

1. A description of the proposed or refused action by the district.
2. An explanation of why the district proposes or refuses to take action.
3. A description of each evaluation procedure, test, record or report used in deciding to propose or refuse action.
4. A description of any options the district considered.
5. The reasons for options being rejected.
6. A description of any other factors that are relevant to the proposal or refusal.
7. A statement that the parent has protection under procedural safeguards, or parental rights, and how they can obtain a copy of the parental rights document. If the notice is for initial referral for evaluation, a copy of the notice of procedural safeguards must be provided with the notice.
8. Resources for parents to contact for assistance in understanding their rights.

The notice must be written in language understandable to the general public and, where appropriate, in the native language or other mode of communication used by the parents. If necessary, the notice must be communicated orally in the native language or by other means so that the parent understands the content of the notice. The district must maintain written evidence that these requirements are being met.

Actions Requiring Consent

A district must document that written parental consent was obtained prior to:

1. Conducting an initial evaluation to determine whether a child is eligible for special education.
2. Conducting an assessment that was not listed on the initial consent for evaluation.
3. Initially placing a child with a disability in a special education program.
4. Conducting a reevaluation. A reevaluation refers to any evaluation that is conducted after a student has been determined eligible for special education. However, if parents fail to respond to reasonable measures taken by the district to obtain their consent for reevaluation, the district may proceed with the reevaluation.
5. Disclosing personally identifiable information to unauthorized persons.

6. Change of placement.

Note: Parent consent is **not** required before a) reviewing existing data for evaluation or revaluation; or b) administering a test or evaluation that is given to all children, unless consent is required of all parents.

Consent means:

- That the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought.
- The parent understands and agrees in writing (indicated by the parent's signature on the consent form) to the carrying out of the activity for which the consent was asked, and the consent describes that activity and lists any records that will be released and to whom.
- The parent understands that the granting of consent is voluntary and may be revoked prior to the action, requiring consent, occurring.

Refusal to Give Consent

When a parent refuses consent, a district may take the following steps:

- The district may request, in writing, that the parents or guardians meet with the district staff to discuss the need for an initial evaluation, placement in a special education program, or the release of information the district believes is necessary to ensure FAPE. The district will attempt to obtain the parental consent at that meeting.
- If the parents or guardians refuse to give consent, the district may continue to pursue the action through mediation and/or initiating a due process hearing. If the hearing officer determines that the action is necessary, and the parent does not appeal, the district may take the action.

Revoking Consent

Revoking consent refers to a situation where consent is required and the parent revokes consent prior to initiation of the action for which consent was required. The district may continue to pursue the action through mediation and/or initiating a due process hearing. If the hearing officer determines that the action is necessary, and the parent does not appeal, the district may take the action. If parents disagree with the district after an action involving consent has transpired, they may request a due process hearing. During a due process hearing the child is required to "stay-put" until the hearing is completed.

> **Note:** A parent who has provided consent for an initial evaluation may revoke that consent prior to the evaluation occurring. However, once the evaluation has been completed, a parent may not revoke consent to revert the child to a previous status, or have the evaluation disregarded.. If a parent disagrees with the district evaluation, the parent has the right to an independent evaluation.

SECTION 4. MEDIATION

When a district and a parent reach an impasse with a problem, they may seek to resolve their differences through mediation. Mediation is an informal voluntary process in which an impartial third party helps parties experiencing a conflict, reach a suitable agreement. The department encourages the use of mediation whenever a dispute arises in the identification, evaluation, placement, or provision of an appropriate program of a child with a disability.

The ultimate goal of mediation is to seek a written agreement that is mutually acceptable to both parties. Even if a formal agreement is not reached, mediation may be helpful in clarifying issues. The district should refrain from using the term "mediation" to refer to any district-level process for resolving disputes. When an impasse is reached with a parent, the district should suggest use of the state mediation system.

Alaska's Mediation System

The department contracts for the administration of a statewide mediation system. The following are characteristics of Alaska's mediation process:

1. Mediation is a voluntary process mutually agreed to by a parent and the district.
2. The mediation conference is an informal dispute resolution process conducted in a non-adversarial atmosphere.
3. Each mediation conference is scheduled in a timely manner and is held in a location that is convenient to the parties involved in the dispute.
4. Mediation is confidential.
5. Mediation is an alternative to a due process hearing or administrative complaint.
6. Mediation is available at no cost to parents and districts.
7. Mediation is a means of resolving disputes regarding the identification, evaluation, and educational placement provisions of FAPE.

8. Any resolution reached as part of the mediation process must not conflict with state or federal law and must be satisfactory to both parties.
9. Anyone who is acceptable to both parties may attend the mediation conference. It is suggested that attorneys not be present as they add a formality to the setting that is more appropriate for a due process hearing.
10. Mediation can not be used to deny or delay a parent's right to a due process hearing, administrative complaint investigation, or to deny any other rights afforded under the IDEA 97.
11. A written mediation agreement will be prepared and signed by both parties, along with the mediator. If no agreement is reached, the mediator will issue a letter stating that an impasse was reached.
12. If a mediation agreement is not adhered to, then the parent or district may request a due process hearing.

Mediators

Through the mediation contractor, the department maintains a list of qualified mediators who are impartial and trained in effective mediation techniques, as well as knowledgeable in laws and regulations relating to the provision of special education and related services. Mediators act as facilitators to assist parents and districts in resolving a conflict.

If a mediator is not selected on a random basis from the list of qualified mediators, both parties must be involved in selecting the mediator and agree with the selection of the individual who will mediate.

Mediation Requests

A request for mediation may occur when:

1. The parents and district are unwilling or unable to modify their position without outside assistance.
2. The parents and district, after making a good faith effort, face an impasse in attempting to resolve a conflict regarding the identification, evaluation or educational placement of the child or the provision of FAPE.
3. A request for a due process hearing has been made by either a parent or the district, or an administrative complaint investigation has been filed with the department.

A telephone or written request for mediation may be made by a parent, guardian, surrogate parent, or the district. Requests for mediation should be made to:

Alaska Special Education Mediation Services
1-800-580-2209
Fax: 907-789-0141

Confidentiality

Discussions that occur during the mediation process are confidential and cannot be used as evidence in any subsequent due process hearing or civil proceeding. The parties in the mediation process will be required to sign a confidentiality pledge prior to commencement of the mediation session. This confidentiality requirement does not diminish a parent's right to obtain records under FERPA or either party's right to obtain information that would otherwise be subject to discovery.

SECTION 5. IMPARTIAL DUE PROCESS HEARINGS

Request for Hearing

A parent may initiate a hearing (or a child may initiate a hearing, if the child is the age of 18 and has not been declared incompetent by a state court), by filing with the district a written request for a hearing to challenge the following:

1. An action or refusal to initiate or change the identification, evaluation, or educational placement of a child, or the provision of FAPE to the child.
2. A refusal to honor the request of a parent to amend a record.
3. Lack of provision of due process (e.g. The parent was not fully informed of his/her rights).

A district may initiate a hearing by sending the parent written notice of the district's intent to initiate a due process hearing to:

1. Challenge a parent's refusal to consent to an evaluation, reevaluation, or placement.
2. Challenge a parent's refusal to consent to the release of a record.
3. Ask a hearing officer to place a student in an interim alternative educational setting for disciplinary reasons.

The district must notify the department in writing or by telephone within ten school days of a hearing request by a parent or initiation of a hearing by the district that the district has begun a due process hearing.

Written Request to District

A request for a due process hearing must be made in writing. The request may be made by the parent or the attorney representing the student. The written request must include:

1. The student's name, address, and school.
2. A description of the issue relating to the proposed or refused initiation or change, including relevant facts related to the problem.
3. A proposed resolution of the problem, to the extent known and available to the parent.

(See Notice of Procedural Safeguards in Appendix E for sample Notice of Request for Due Process Hearing form).

The public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if:

1. The parent requests the information
2. The parent or the agency initiates a hearing under this section.

The district will offer mediation as an alternative dispute resolution mechanism. However, the offer of mediation does not negate the parent's or district's right to a due process hearing. The district should continue with the selection of a hearing officer so that, in the event mediation is unsuccessful, the hearing may proceed without delay.

Assignment of An Impartial Hearing Officer

The department has a list of persons available to serve as hearing officers that includes the qualifications of those persons. A hearing must be conducted by a hearing officer selected by the district from a list developed by the department; however a hearing officer may not be appointed unless approved in writing by the parent. Parent approval is not required if the parent has been offered and has rejected 3 different hearing officers. It is not appropriate for either the district or the parent to interview a potential hearing officer to determine approval or disapproval of an individual; such an activity would potentially prejudice the hearing procedure.

A hearing officer must be at least 18 years of age and must have participated in, and be qualified through, a training program sponsored by the department.

The appointment of a hearing officer who has a personal or professional bias that might preclude objectivity toward either of the parties to the hearing or any of the issues to be decided in the hearing is prohibited. Personal or professional bias means an interest that precludes the individual from performing the responsibilities of a hearing officer in a manner that is not objective and includes:

1. Current or previous service as an employee of the school district serving persons with disabilities.

   Note: A person who otherwise qualifies to conduct a hearing is not considered an employee of a district solely because he or she is paid by the district to serve as a hearing officer.

2. Current or previous responsibility for reviewing, approving, or developing policy or financial actions of a district serving children with disabilities.
3. Previous, current or anticipated receipt of fees for consulting or legal services by the district.
4. Personal familiarity with the child or the child's parents, including being a relative of the child or the child's parents.

A hearing officer may at any point withdraw from consideration or from service in any hearing in which he or she believes a personal or professional bias exists that may affect the impartiality towards any of the issues to be decided in the hearing.

Prior to the Hearing

A parent must be allowed to inspect and review reports, files, and records pertaining to his or her child at least 5 business days prior to the time that a parent is to participate in a hearing. A district may charge a fee for copies of records if the fee does not effectively prevent a parent from exercising his or her right to inspect and review those records. The district may not charge a fee to search for or retrieve records.

At least 5 business days prior to a due process hearing, each party shall disclose to all other parties, evaluations completed by that date and recommendations based on those evaluations that they intend to use at the hearing. A hearing officer may bar any party that fails to comply with the disclosure requirement from introducing the relevant information or recommendations at the hearing without the consent of the other party.

Conduct of a Hearing

Hearings and reviews involving oral arguments must be conducted at a time and place that are reasonably convenient to the parents and the child involved. The district shall deliver or mail a notice of the hearing to the parent at least 10 days before the hearing. The notice must be worded substantially as follows:

> You are notified that a hearing will be held before (insert name of hearing officer) at (insert place of hearing) upon the ______ day of ________________, 19__ at the hour of ______, in response to the request of ______________ for a hearing on the following issue: _________________. You may be represented by counsel, may present any relevant evidence, and may cross-examine any witnesses testifying against you.

In the notice provided, the district must inform the parent of any free or low-cost legal and other relevant services available in its area, and the availability of mediation.

The hearing will be conducted according to the following rules.

1. The hearing will be conducted at a time and place that is reasonably convenient to the parents and child involved.
2. A record of the hearing will be made. The record will be a written transcript unless the parent opts for an electronic verbatim record. The parent may have access to the record upon formal request.
3. Following appointment, the hearing officer shall conduct an informal pre-hearing settlement conference and attempt to resolve the disagreement between the parent and the school district. However, the hearing officer is **not** a mediator and the settlement conference is not mediation.
4. Each party may be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.
5. Oral evidence may be taken only on oath or affirmation.
6. Each party has the right to compel the attendance of witnesses, call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on matters relevant to the issues even though those matters were not covered in the direct examination, impeach a witness regardless of which party first called the witness to testify, and rebut the evidence against him or her.

7. The hearing need not be conducted according to technical rules relating to evidence and witnesses, however:
   - Relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of a court rule that makes improper the admission of the evidence over objection in a civil action.
   - Hearsay evidence may be used to supplement or explain direct evidence but is not sufficient by itself to support a finding unless it would be admissible over objection in a civil action.
   - The rules of privilege are effective in a civil action. The rules of privilege are effective to the same extent that they are recognized in a civil action.
   - Irrelevant and unduly repetitious evidence may be excluded.
8. Each party has the right to prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least 5 days before the hearing.
9. An employee of the district may be called as a witness by any party.
10. A parent may have his or her child present and may open the hearing to the public.
11. The burden of proof is on the district.
12. The hearing officer shall render a final decision and mail a copy to each party not later than **45 days after receipt of a parent's request for a hearing**, or 45 days after a district sends a written notice. A hearing or reviewing officer may grant specific extensions of time beyond the 45-day period at the request of either party. The decision must be in writing and must include a statement of the facts on which it is based. A hearing officer should not extend the timelines for a hearing based on the fact that there is pending mediation, unless both parties agree to the extension.

    Note: The hearing officer selected by the district must be available and willing to complete the hearing within the 45-day time limit. Any failure on the part of a hearing officer to complete the hearing in a timely manner may result in the hearing officer's name being removed from the department's list of persons available to serve as hearing officers.
13. The district shall mail a copy of the decision of the hearing officer, within a reasonable period of time and after deleting any personally identifiable information, to the Governor's Council on Disabilities and Special Education; P.O. Box 240249; Anchorage, AK 99524-0249. The district also shall mail a copy of

the decision to the department with a statement indicating which hearing officers were considered and not approved by the parent, or were replaced during the course of the hearing for other reasons. The district shall provide a written transcript of the hearing to a parent or any party of the hearing upon request.

14. Any party to the hearing has the right to obtain a written, or at the option of the parents, electronic findings of fact and decisions.
15. The decision of a hearing officer is final unless a party to the hearing appeals the decision to the department.

Child's Status During Proceedings

Pending the outcome of any administrative or judicial proceedings regarding a due process hearing, unless the public agency and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her present educational placement (refer to Part IV, Section 11 regarding exception to "stay put" related to student discipline).

If the due process hearing involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school program until the completion of all the proceedings.

If a state review official in an administrative appeal agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement for purposes of placement during the pendency of any administrative or judicial proceeding regarding a due process hearing.

Appeal to the Department of Education & Early Development

Any party aggrieved by the decision of a hearing officer may appeal by filing a Notice of Appeal with the Department of Education and Early Development, Office of Special Education Programs, 801 W. 10th St., Suite 200, Juneau, AK 99801-1894, within 30 days after the decision. The notice of appeal must identify the parties to the hearing, include a copy of the decision, and state the grounds for the appeal.

Upon receipt of a notice of appeal the department will appoint an appeal officer to conduct the hearing, notify any other parties that the appeal is pending, and request a written record of the hearing and an official copy of the written record that is paginated and contains a table of contents. The department will also provide each party with an opportunity to present oral or written argument or both in support of, or in opposition to, the decision of the hearing officer. Moreover, the department may, at its discretion, conduct an additional hearing for the purpose of receiving oral argument or additional evidence.

It is the responsibility of the department to ensure that the department official who conducts a review of the hearing:

1. Examines the entire hearing record.
2. Determines that the findings and decision at the hearing were consistent with due process.
3. Seeks additional evidence, if necessary.
4. Affords the parties an opportunity for oral or written argument.
5. Makes an independent decision.

Note: No department employees, chief state school officers or members of the State Board of Education may serve as state level review officers.

The department will render a final decision and mail a copy of the written, or at the option of the parents, electronic findings of fact and decision to each party, not later than 30 days after receipt of the Notice of Appeal, unless the department at the request of a party grants an extension of time. The decision will be in writing and will include a statement of the facts upon which it is based.

The decision of the department is final unless a party to the appeal appeals to the federal or superior court in accordance with rule 602 of the Rules of Appellate Procedure.

A parent who appeals to the court and who is determined by the court to be an indigent person may be provided with a court appointed attorney at public expense.

After rendering a final decision, the department, after deleting any personally identifiable information, will mail a copy of the administrative appeal to the Governor's Council on Disabilities and Special Education for dissemination to the public.

Attorneys' Fees

A court shall have jurisdiction in the awarding, determination, or prohibition of attorneys' fees to the parent(s) of a student with a disability. The court may:

1. Award reasonable attorneys' fees as part of the costs to a parent of a student with a disability who is the prevailing party.

2. Determine the amount of attorneys' fees, using prevailing rates in the community in which the action arose, for the kind and quality of services provided.

Prohibition of Attorneys' Fees

Part B funds may not be used to pay attorney's fees or costs of a party, but may be used to conduct an action or proceeding (i.e., paying for the hearing officer and place for the hearing).

Attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to a parent if:

1. The district makes an offer at least 10 days before an administrative hearing or civil proceeding.
2. The offer is not accepted by the parents within 10 days after it is made.
3. A court or administrative hearing officer finds that the relief obtained by a parent is not more favorable to the parent than the offer of settlement.

Attorneys' fees may also **not** be awarded:

1. To a parent for legal representation at an IEP meeting unless such a meeting is convened as a result of an administrative proceeding or judicial action.
2. For mediation that is conducted prior to a request for a due process hearing.

Exception to Prohibition of Attorneys' Fees

An award of attorneys' fees and related costs may be made to a parent who is a prevailing party and who was substantially justified in rejecting the settlement offer.

Reduction in the Amount of Attorneys' Fees

A court may reduce an award for attorneys' fees if:

1. A parent, during the course of the action or proceeding, unreasonably extended the final resolution of the controversy.
2. The amount of the award unreasonably exceeds the prevailing rate in the community for similar services by attorneys of reasonably comparable skills, reputation, and experience.
3. The time spent and legal services rendered were excessive considering the nature of the action.

4. And the attorney representing a parent did not provide the information specified for the notice of a request for a due process hearing.

The amount of the attorneys' fees will not be reduced if the court finds that the district or state unreasonably extended the final resolution of the action or proceeding.

SECTION 6: SURROGATE PARENTS

The district shall establish and implement written procedures for the identification of children who are entitled to the appointment of a surrogate parent, and for the appointment and removal of surrogate parents. The written procedures must be available to the department during compliance monitoring reviews (see Appendix E for a model Surrogate Parent Plan).

The term "parent" means a parent, a guardian, a person acting as a parent, or a surrogate parent but does not include an employee of the State if the child is a ward of the State.

> "Acting as a parent" includes persons such as a grandparent or stepparent with whom the child lives, as well as persons who are legally responsible for a child's welfare. The term does not include state agency personnel if the student is a ward of the state.
>
> "Guardian" is a private individual who has been given the legal custody of a child by a court.
>
> "Surrogate Parent" is an individual who acts in place of a parent and meets the qualifications for surrogate parents.
>
> "Ward of the State" means that the courts have placed the child under the custody of the Department of Health and Social Services, Division of Family and Youth Services. A child who is a ward of the State shall be provided with a surrogate parent.

A surrogate parent is not liable for civil damages as a result of an act or an omission committed in the surrogate parent's official capacity, except that a surrogate parent may be liable for civil damages as a result of gross negligence or intentional misconduct.

Qualifications

An individual is generally qualified to serve as a surrogate parent if the district determines that the individual possesses the necessary knowledge and skills to adequately represent the child, and:

1. Has no personal or professional interests that could conflict with the interests of the child.
2. Is not employed by a public agency that is involved in the education or care of the child.

   Note: A person who otherwise qualifies as a surrogate parent is not considered an employee of a district solely because he is paid by the district to serve as a surrogate parent.

3. Has knowledge and skills that assure adequate representation of the child.
4. In general, is familiar with the state and federal requirements for special education and with the nature of the child's disability.
5. Has participated in a training program for surrogate parents developed by the department and conducted by the district.

   Note: A district may select as a surrogate a person who is an employee of a nonpublic agency that only provides non-educational care for the child and who meets the above standards.

Training

Training for surrogate parents includes the following topics:

1. The role of the surrogate parent.
2. The state and federal requirements for special education.
3. The rights and responsibilities of parents in the educational decision-making process.
4. The procedure which a surrogate parent follows if the parent believes that circumstance regarding the surrogate parent's role may create a conflict with the interest of the child, including the procedure for immediately notifying the district if such a potential conflict exists.
5. The nature of the child's disability.

The districts should provide all prospective surrogate parents with training. This way, if a child who is referred for special education needs a surrogate parent, services will not have to be delayed for recruiting and training a surrogate parent.

Appointment

A child is entitled to a surrogate parent if the child is between 3 and 18 years old or the child is between 18 and 22 years old and has been adjudicated incompetent by a court, or if the child is between 18 and 22 years old and the district determines that it is in the best interest of the child to be appointed a surrogate parent even though the child has attained the age of majority, and:

1. The district cannot identify a parent or legal guardian of the child.
2. After reasonable efforts, the district cannot discover the whereabouts of a parent.
3. The child is in the custody of the Department of Health and Social Services (DHSS), Division of Family and Youth Services (DFYS).
4. A parent or legal guardian requests a district to appoint a surrogate parent for the child. The parent who requests that a surrogate be appointed has the right to continue to receive prior written notice. Parents must be informed that their request for a surrogate parent appointment is voluntary and may be revoked at any time.

Note: The educational placement of a child who has been identified by the district as entitled to a surrogate parent shall not be changed until 10 days after appointment of a surrogate parent.

When a child is in DFYS custody, the child's social worker or probation officer will provide information about the child's custody status to the school district.

Responsibilities

A surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child, and the provision of FAPE, including:

1. The right to receive notice of actions proposed or refused by the district.
2. The right to provide or withhold consent requested by the district.
3. The right to participate in the development, review, and revision of the IEP.
4. All aspects of the protection of the confidentiality of personally identifiable information collected, used, or maintained by the district.
5. The conduct of an independent educational evaluation of the child.
6. The initiation and conduct of due process hearings.

Matching Surrogate Parents and Children

A natural parent may serve as a surrogate parent when the child is in state custody and the parent has not been barred from contact with the child. When the district determines that the natural parent will represent the child, the district must train and appoint the natural parent as a surrogate parent.

The Alaska Department of Law has stated that foster parents are ineligible to serve as surrogate parents. Exceptions can be made when the foster parent has served as foster parent for a particular child for a long period of time, usually two years or more, and it is reasonable to assume that DFYS will not be moving the child to a different foster situation in the foreseeable future.

A district should consider the following factors when matching a child with a surrogate parent:

1. Cultural similarities.
2. Religious similarities.
3. Age preferences of surrogate parent or child.
4. Language compatibility.

The district should give preference to a member of the child's immediate or extended family, or family friend over a person having no prior involvement with the child.

Compensation

The district should decide on an incentive or compensation policy for surrogate parents. Some may decide on a total volunteer program; others may decide to reimburse expenses; some may reimburse expenses and pay per diem; others may pay an hourly rate or an annual salary.

Monitoring

The district is responsible for monitoring each appointed surrogate parent to ensure they perform their duties, stay free from conflict of interest and take no action that might be harmful to the child.

Removal

A district will remove a surrogate parent if:

1. The surrogate parent requests removal.

2. The surrogate parent fails to act with reasonable diligence on behalf of the child.
3. The surrogate parent is not qualified to act as a surrogate parent.
4. The surrogate parent engages in actions that threaten the welfare of the child.
5. The circumstances which gave rise to appointment of the surrogate parent no longer exist.
6. It is determined that the child is no longer in need of special education.

If it is decided to remove a surrogate parent, the reasons for the removal must be presented to the surrogate parent in writing. The district shall provide an opportunity for impartial review of the decision to remove a surrogate parent. The final decision of a district to remove a surrogate parent is not subject to appeal to the department.

SECTION 7. INDEPENDENT EVALUATIONS

Right to an Independent Educational Evaluation

Parents of a child with a disability have the right to obtain an independent educational evaluation (IEE). An IEE is an evaluation conducted by a qualified examiner who is not employed by the district responsible for the education of the child in question. The primary purpose of the independent educational evaluation is to determine eligibility, not to develop the IEP.

Availability of Information

The district must provide, upon request, information to parents as to where an IEE may be obtained. Since IEEs at public expense must be conducted according to the same criteria that apply to evaluations conducted by the district (see Part IV, Section 5), the district must provide parents with the district criteria for evaluations. If a district's list of independent evaluators is not exhaustive within the geographic area, or if the list does not include evaluators who can appropriately evaluate a specific child, then the parents are not restricted to the district's list.

Right to an Independent Educational Evaluation at Public Expense

Under the following circumstances, a parent has the right to an IEE at public expense if the parent disagrees with an assessment obtained by the school district:

1. The district must first have had the opportunity to conduct an evaluation.

   Note: If a parent requests an IEE, the district may ask about the parent's reason for objecting to the district evaluation. However, the explanation is not required and the district may not unreasonably delay either providing the IEE or initiating a due process hearing to resolve the issue.

2. A parent is not entitled to have additional assessments, beyond those already conducted by the district, conducted at public expense under the IEE provisions. If the parent is interested in additional or different assessments, he or she must first give the district the opportunity to conduct them by making a formal request. If the district refuses to conduct specific assessments requested by a parent, the parent may initiate a due process hearing to show that the assessments are necessary.
3. Whenever an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria the district uses when it initiates an evaluation.
4. Parents are entitled to only one IEE at public expense for each district evaluation.
5. A due process hearing may be initiated by the district to determine if the evaluation conducted by the district was appropriate. If the final decision of a hearing officer (or a court of law if the hearing officer's decision is appealed), is that the evaluation conducted by the district is or was appropriate, the parent still has the right to an independent evaluation. However, the parent must pay for this evaluation.
6. If a hearing officer requests an IEE as part of a hearing, the evaluation must be at district expense.

   Note: Since the right of a parent to obtain an IEE is triggered by the parent disagreeing with a publicly initiated evaluation, if a parent refuses to consent to a proposed public evaluation in the first place, then an IEE at public expense would not be available.

Maximum Allowable Charges

To avoid unreasonable charges for IEEs, a district may establish maximum allowable charges for specific tests. If a district does establish maximum allowable charges for specific tests, the maximum allowable charges must:

1. Not simply be an average of the fees customarily charged in the area by professionals who are qualified to conduct the specific test.
2. Allow parents to choose from among the qualified professionals in the area and only eliminate unreasonably excessive fees.

3. Allow parents the opportunity to demonstrate that unique circumstances justify an IEE that does not fall within the district's criteria. If an IEE that falls outside the district's criteria is justified by the child's unique circumstances, that IEE must be publicly funded.

Consideration of IEE Results

If a parent obtains an IEE at **private** expense that meets the district's evaluation criteria and makes the results available to the district, the results must be considered by the district in any decision made with respect to the provision of a FAPE to the student. The results may also be presented as evidence at a hearing regarding that student.

Procedures for Requesting an IEE

If a parent wants to request an IEE at district expense, the parent should notify the district. The district must provide the parent with:

1. A list of independent evaluators.
2. The district's criteria for IEEs, including maximum allowable charges, if any.
3. A copy of the evaluation and eligibility requirements set forth in Part III of this handbook.

District Responsibilities Following IEE Requests

If a parent requests an IEE, the district may do one of the following:

1. Propose mediation to resolve differences.
2. Agree to pay for an IEE.
3. Initiate a due process hearing to show that its evaluation was appropriate. The parent must be advised if he or she pursues an IEE, it may be at his or her expense.

After a parent has obtained an IEE, the district must do one of the following:

1. Pay for the evaluation/assessment if it meets the criteria for publicly-funded IEEs. If the district believes the district evaluation was appropriate, this should be stated in writing within the same document in which it agrees to pay.
2. Provide written notice to the parent of the district's refusal to pay for an IEE that does not meet the criteria for publicly-funded IEEs. The district must also inform the parent of his or her right to a due process hearing to challenge this decision.

3. Provide written notice to the parent of the district's refusal to pay for an IEE and request a due process hearing to demonstrate the district's evaluation or assessment was appropriate. The district does not have to pay for an evaluation if the hearing officer finds for the district.

SECTION 8. COMPLAINT PROCEDURE

The department will review, investigate, and take appropriate action on complaints alleging that a district or other educational agency is acting contrary to state or federal requirements for special education. If the complainant's native language is other than English, the written complaint may be filed by proxy.

Complaints must allege violations that occurred not more than one year prior to the date of receipt, unless a longer period is reasonable because the violation is continuing, or the complainant is requesting compensatory services for a violation that occurred not more than three years before the complaint was received.

A complaint may be filed by an organization or person (including from another state) and must be in writing. Complaints should be made to the department and include at least the following information:

1. Date.
2. Name of district.
3. Name, address and telephone number of the person making the complaint.
4. Name, address and telephone number of the child or children involved.
5. One or more statements that the district has violated federal or state requirements.
6. The facts upon which the allegation or allegations are based.

Within 60 days of receiving the complaint and clarifying the issues with the complainant, the department will complete an independent investigation that may include telephone interviews, a review of files, correspondence and other information, and if necessary, an on-site investigation. The complainant will be given an opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. An extension of the time limit will be allowed only if exceptional circumstances exist with respect to a particular complaint and are documented by the department. An extension of the time limit should not be based on the fact that there is pending mediation unless both parties agree to the extension.

Upon completion of the investigation, a written decision will be issued to the complainant and the school district. The investigative report will address each allegation in the complaint and will include:

1. A summary of the complaint.
2. A summary of the investigation.
3. Findings of fact.
4. Conclusions of law.
5. Reasons for the final decision.
6. Corrective action required.

The department will ensure that a district effectively implements the final decision contained in the investigative report that may include corrective actions and technical assistance activities. If it is determined that a district failed to provide appropriate services, the investigative report will address:

1. How to remediate the denial of those services including, as appropriate, the awarding of monetary reimbursement or other corrective action to meet the child's needs.
2. Appropriate future provision of all services for all children with disabilities.

In the event that the district or complainant wishes to contest the findings of the complaint investigation, either party may request a due process hearing.

Complaints and Due Process Hearings

If a written complaint is received that is also the subject of a due process hearing, or the complaint has multiple issues, some of which are being addressed in the due process hearing, the department will set aside any part of the complaint that is being addressed in the due process hearing until the conclusion of the hearing. However, any issue in the complaint that is not a part of the due process hearing will be investigated. If issues raised in a complaint were previously decided in a hearing between the same parties, the department will inform the complainant that the hearing decision is binding. A complaint that the district is not implementing a hearing decision must be investigated by the department.

SECTION 9. CONFIDENTIALITY OF INFORMATION

Protection of Records

The district must prevent the unauthorized disclosure of personally identifiable information pertaining to students with disabilities. A district must designate one employee to protect the confidentiality of special education student records collected, maintained, or used. That person shall assume responsibility for ensuring the confidentiality of any personally identifiable information and must:

1. Respond to any request for inspection and review of an education record.
2. Respond to any request made for an explanation or interpretation of an education record.
3. Respond to any request made to amend an education record.
4. Obtain written and dated consent before disclosing personally identifiable information to unauthorized individuals.
5. Respond to any request to destroy an education record.
6. Keep a record of parties obtaining access to educational records (except parents and authorized employees of the district), including the name of the party, agency affiliation, the date access took place, and the purpose of the authorized use (see Appendix E for a sample Record of Access form).
7. Maintain a current listing for public inspection of the names and positions of the employees who may have access to personally identifiable information.
8. Provide parents, on request, a list of the types and locations of education records collected, maintained, or used by the district.
9. Ensure that the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages is protected.
10. Ensure that if any educational record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of only that specific information.
11. Ensure that each person collecting or using personally identifiable information shall receive training or instruction regarding the policies and procedures governing confidentiality of personally identifiable information. The district must maintain a record of the training provided, including the person or persons providing the training, the dates of the training, who attended, and the subjects covered.

Parental Access to Educational Records

A district must permit a parent to inspect and review educational records relating to his/her child that is collected, maintained or used by the district, and must:

1. Provide a parent, upon request, a list of types and locations of records collected, maintained or used by the district.
2. Respond to any reasonable request of a parent for explanation and interpretation of a record.
3. Provide a parent with a copy of a record upon request if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records.
4. Permit a representative of the parent to inspect and review records.
5. Comply with a request to inspect, review, or obtain a copy of a record within a reasonable period not to exceed 10 days, and, in any case, before the parent is to participate in any meeting or hearing relating to the child or his or her identification, evaluation, placement, or program.

A district may presume that a parent has authority to inspect and review a record relating to his child unless the district has been provided reasonable grounds to believe that the parent does not have authority to do so under state law governing such matters as guardianship, separation, or divorce. Under the regulations for FERPA, the rights of parents regarding educational records are transferred to the student at age 18.

Note: Test protocols are not personally identifiable and would not be an educational record. But, should a district maintain a copy of the student's protocol, it would constitute an educational record of which the parent would have a right to request an explanation/interpretation and thereby see the protocol.

Destruction of Information

A district shall maintain records until no longer needed to provide educational services, but not fewer than five years. Written records about individual students are confidential and should be shredded or burned under supervision of the staff member responsible for the records.

If personally identifiable information collected, maintained or used is no longer needed by the district, that information should be destroyed. The district shall make reasonable efforts to notify the parent and offer the parent a copy of the record to be destroyed. A reasonable effort would be written correspondence to the last known address of the parent (see Appendix E for a sample Letter of Intent to Destroy Special Education Records).

The notice sent to the parents must describe the personally identifiable information that the district intends to destroy and shall inform the parents that the information will be destroyed no earlier than 45 days from the date of the notice. The notice shall also outline the procedure that the parents may follow if they wish to formally object to the destruction of the information (see Appendix E for Prior Written Notice form). When informing a parent of his or her rights, the district should remind them that the records might be needed by the child or parent for Social Security benefits or other purposes.

Information must be destroyed at the request of the parents if the information is no longer needed by the district. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed must be maintained without time limitation.

Parental Request for Amendment of Records

A parent who believes that information collected, maintained, or used by a district in a record relating to his or her child is inaccurate, misleading, or in violation of the privacy or other rights of the child may request that the district amend the records.

The district must, within a reasonable period of time not to exceed 45 days of receipt of the request, decide whether to amend the record. If the district refuses to amend the record, it shall inform the parent of the refusal and advise the parent of his or her right to a hearing.

If a parent requests a hearing and the hearing officer decides that the information is inaccurate, misleading, or in violation of the privacy or other rights of the child, the district must amend the record and inform the parent in writing.

If a parent requests a hearing and the hearing officer decides that the information is not inaccurate, misleading, or in violation of the privacy or other rights of the child, the district must inform the parent that he or she may place a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency with the record. Any statement placed with a record must accompany the record as long as the record or contested portion is maintained by the district. If the record or contested portion is disclosed by the district to any person, the statement must also be disclosed.

Fees

A fee may be charged for copies of records that are made for parents if the fee does not prevent the parents from exercising their right to inspect and review those records. A fee may not be charged to search for or retrieve information.

Parental Consent for Release of Records

A district must obtain written consent of a parent before disclosing personally identifiable information relating to his or her child that is collected, maintained, or used by the district to any person other than:

1. A school employee, including contract service providers, who has a legitimate educational interest.
2. Employees of a school in which the student is to enroll upon condition that the parent be notified of the disclosure, offered a copy of the record, and notified of his or her right to request amendment of the record.
3. A representative of the federal comptroller general, United States Department of Education, or Alaska Department of Education & Early Development.

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting requirements under this part. An educational agency or institution subject to Part 99 of FERPA may not release information from education records to participating agencies without parental consent unless authorized to do so under Part 99. If a parent refuses to consent to the release of a record, the district may initiate a hearing (see Appendix E for a sample Authorization for Release of Confidential Information form).

Confidentiality of Information Definitions

Disclosure means the release, transfer, or other communication of educational records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written, or electronic.

Personally Identifiable means that information includes:

1. The name of the child, the child's parents, or other family member.
2. The address of the child.
3. A personal identifier, such as the child's social security number or student number.

4. A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Destruction means the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

Education Records means personally identifying information including, but not limited to:

1. Academic work completed.
2. Level of achievement.
3. Attendance data.
4. Scores and protocols of standardized intelligence, aptitude, and psychological tests.
5. Interest inventory results.
6. Health data.
7. Family background information.
8. Teacher or counselor rating.
9. Observations and verified reports of serious or recurrent behavior patterns.

Participating Agency means an agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under the IDEA 97.

PART VIII

PERSONNEL

Sections

1. Teachers
2. Related Service Providers
3. Pre-school Teachers
4. Special Education Administrators
5. Paraeducators
6. Interpreters for the Deaf
7. Personnel Development

SECTION 1. TEACHERS

A person employed as a teacher of a child with a disability must possess a Type A certificate (regular teaching certificate), with an endorsement in some area of education of children with disabilities.

A person other than a teacher of a child with a disability (i.e., a regular classroom teacher or a paraeducator) may assist in providing special education to students with disabilities if the following conditions are met:

1. A teacher with a special education endorsement has the primary responsibility to:
   a. Plan the evaluation of the child.
   b. Plan the child's educational programs, including participating in and signing the child's IEP.
   c. Train and supervise the staff that will be teaching the child.
   d. Review the child's program to determine progress and make adjustments as needed.

and

2. A teacher with special education endorsement reviews and supervises the child's special education program on site at least once a month.

Teachers for Children Who are Visually Impaired or Deaf

A teacher who evaluates or plans educational programs for children who are visually impaired or deaf, or who has responsibility for training staff to teach children who are visually impaired or deaf, must have an endorsement in the education of children with that impairment. A district serving a child who is deaf or visually impaired can comply with this requirement in one of three ways:

a. Hire appropriately endorsed staff to teach the child.
b. Contract with appropriately endorsed staff.
c. Secure the service from the Special Education Service Agency (SESA).

Note: If a regular teacher or paraeducator assists in teaching a child with a disability, it is required that the amount of supervision provided by the itinerant teacher responsible for the child's program be included on the IEP as part of the specific special education and related services to be provided.

SECTION 2. RELATED SERVICE PROVIDERS

Federal law requires that each person employed by a school district providing related services to children with disabilities meets the highest requirement in the state. *Highest requirement* means the highest entry-level academic degree needed for any state-approved or recognized certification, licensing, or registration. In Alaska, this means:

Each person employed as a speech language pathologist or school psychologist must possess:

1. A Type A certificate endorsed in the field of employment;

or

2. A Type C certificate in the field of employment.

Each person employed to provide occupational therapy, physical therapy, clinical psychology services, or audiology must be licensed.

Provision of Related Services by Other Than a Certified Related Service Provider

A person other than a certified related service provider (i.e., a special education teacher, a regular classroom teacher, or a paraeducator) can assist in providing a related service if the following conditions are met (also see Appendix F for Recommended Guidelines for Related Service Providers):

1. A certified related service provider has the primary responsibility to:
    a. Evaluate the child.
    b. Plan the child's educational programs, including participating in and signing the child's IEP.
    c. Teach or train the staff that will assist in providing the related service to the child.
    d. Review and supervise the child's program to determine progress and make adjustments as needed.
2. A certified related service provider reviews and supervises on-site the child's related services program at least once each month.
3. The amount of program supervision provided by the related service provider is included on the IEP as part of the specific special education and related services to be provided.

SECTION 3. PRE-SCHOOL TEACHERS

A person employed as a teacher of preschool children with disabilities must possess a Type A teaching certificate with an endorsement in preschool special education or have a Type A teaching certificate with an endorsement in special education, and have completed six semester hours in early childhood special education. The district must maintain documentation for the completed six semester hours (see Appendix F for sample Early Childhood Education Requirements form).

SECTION 4. SPECIAL EDUCATION ADMINISTRATORS

Any person employed to administer a special education program must possess:

1. Both a Type B certificate (principal's endorsement) and a Type A certificate with an endorsement in special education or in a field that offers related services; or
2. A Type B certificate endorsed in special education administration, or administration for a field that offers related services.

SECTION 5. PARAEDUCATORS

A school district shall provide each person employed as a paraeductor with appropriate training and supervision. Before a paraeducator assists in providing special education or related services, or concurrent with providing those services, the district must provide the paraeducator with six hours of training in the following areas:

1. The child's disability.
2. The content of the IEP.
3. Instructional and safety procedures.
4. Maintaining confidentiality.

The district must maintain a record of the dates and times of the training, the name and title of the persons providing the training, and the topics covered (see Appendix F for a sample Documentation of Training for Paraeducators form.)

SECTION 6. INTERPRETERS FOR THE DEAF

An interpreter for the deaf must be certified by the National Registry of Interpreters for the Deaf (RID). Staff in the state who have been hired as interpreters but who do not have RID certification must develop the skills necessary to meet the standards set by the Statewide Advisory Board.

In those cases in which interpreters with RID certification cannot be hired, the Sign Communication Proficiency Interview (SCPI) will be used to rate interpreters' skill level. On the SCPI, interpreters should rate *Intermediate* within one year of employment, *Intermediate Plus* within two years of employment, *Advanced Plus* within three years of employment, and RID certification within four years of employment.

Staff members from the Alaska State School for the Deaf and Hard of Hearing (ASSDHH) have been trained to interview and rate sign communication proficiency using the SCPI. Contact the ASSDHH for more information or assistance in rating non-certified interpreters.

The Alaska State School for the Deaf and Hard of Hearing
1901 S. Bragaw Street
Anchorage, AK 99508
907/787-3028 (V/TTY)
907/787-3815 (TTY message machine)
907/787-3814 (FAX)

SECTION 7. PERSONNEL DEVELOPMENT

The IDEA 97 includes a greater emphasis on ensuring that personnel who work with students with disabilities are prepared to meet their unique needs. Under the IDEA 97, each district must have a personnel development plan and provide a program of on-going training for all general and special education instructional, related services, and support personnel, including paraeducators. The plan must ensure that all personnel working with students with disabilities have the skills and knowledge necessary to meet the needs of those students. To address this requirement, the district may develop a separate plan based on a needs assessment of personnel needs in the district, or may use the Alaska Comprehensive System of Personnel Development (CSPD) training priorities established by the Department of Education & Early Development.

The district is required to maintain a record of all staff development activities conducted, including the dates and time of the training, the name and title of the person providing the training, the topics covered, and the names of persons attending (see Appendix F for a description of the state CSPD plan).

PART IX

FUNDING

Sections

1. State Public School Foundation Funding
2. Transportation Funding for Special Education
3. Federal Special Education Funding
4. Special Education Service Agency (SESA)

SECTION 1. STATE PUBLIC SCHOOL FOUNDATION FUNDING

As a component of public school funding, a district is eligible for special needs funding. Special needs funding is based on the funding formula established under AS 14.17. Districts receive a block grant for funding of special education, bilingual, vocational education, and gifted education. Consequently, funding for special education is no longer based solely on the number of students in particular service categories (e.g., resource room, self-contained).

Intensive Funding

In addition to the special needs funding, a district may be eligible for intensive funding for students whose needs are so severe as to require complete modification of their school day. Students must be enrolled by the last day of the count period in order to be counted for intensive funding for that school year. The district must file with the department a plan that indicates that services will be provided to these students; this plan is included in the district's application for Title VI-B and preschool funds.

Students for whom the district receives intensive funding may receive services in a regular or self-contained classroom if the program being provided for the child is described on the child's IEP and the services are provided by a qualified special education teacher. Any services provided by a regular classroom teacher or paraeducator must be under the daily supervision of a qualified special education teacher.

Criteria for Intensive Funding

A student with a disability may be counted for intensive funding if the student's educational program meets **ALL** of the following criteria:

1. Provision of multiple services including related services. This means that in addition to special education, the child must also be receiving at least one related service involving instruction (in addition to special transportation).
2. Direct daily instruction by a teacher endorsed in special education.
3. Services supervised by at least one certified special education teacher or related service provider. This means that the educational program, as described in the IEP, when not directly provided by a teacher endorsed in special education or a related service provider, is supervised by such a teacher or service provider.
4. The need for continuous special education programming. This means the child needs specially designed instruction for the entire school day.

5. Assistance and training for self-help skills or daily living skills. (i.e., eating, toilet training, dressing, bathing, independent living skills).
6. The need for a paraeducator or other supplemental support. This means that the child must be under direct special education care at all times. For example, if a teacher serves three intensive children, a paraeducator, peer tutor, or other designated assistant must be with the child when the teacher is not directly serving the child.
7. The need for daily special transportation. This means that the student requires direct care and/or supervision during the time the student is being transported.

Exception for Children Who are Deaf, Blind, or Deaf-Blind

For funding purposes, students eligible for special education who are blind or deaf-blind and must read Braille, or who need and receive full-time services of a deaf education interpreter or tutor, may be counted for intensive funding without meeting the above criteria.

Note: In exceptional situations where a student's program does not exactly match the above criteria, a district may request that the department review the student's educational program and approve intensive funding.

SECTION 2. TRANSPORTATION FUNDING FOR SPECIAL EDUCATION

When transportation is required to be provided as a related service, students with disabilities must be carried with other children, except when the nature of their physical or mental disability is such that it is in the best interest of the child with disabilities that he or she be transported separately. Eligibility for reimbursement shall not be subject to restriction based on the minimum distance between the school and the residence of the child with disabilities.

Transportation of students with disabilities must be consistent with the following provisions:

1. When a student in special education must be transported separately, school districts may establish separate special education routes, subject to approval by the commissioner. A school district may establish a separate special education route for a student when the district has determined that it is in the student's best interest to be transported separately, based on the recommendation of the

student's IEP Team. These special education routes must meet the following conditions:

- The route must serve at least five special education children.
- The entire route must be over regularly maintained roads, having at least a gravel surface, which are under the supervision and all-weather maintenance of the Alaska Department of Transportation, a public utility district, a municipality, a borough service area, or any other agency supported by public funds.
- There must also be adequate turnaround space for transportation vehicles on the route.

2. For the purposes of state reimbursement, special education routes are not subject to the one and one-half mile restriction that exists for a regular child transportation route (if transportation is required in the child's IEP). However, state reimbursement is only available for transportation to and from the child's residences and his or her attendance center or special education attendance center.
3. For the purpose of redistribution of school enrollments between attendance centers, special education routes are not subject to the one and one-half mile restriction for a regular child transportation route.
4. It is recognized that some special education routes may require the assignment of a paraprofessional or interpreter for the driver. Subject to approval by the commissioner, fees paid for services of these individuals may be included as part of the reimbursable costs of the routes. For students ages 3-5, an adult must be designated to accompany the driver and provide for pupil safety when more than 6 children are transported in a vehicle.
5. Subject to approval by the commissioner, state reimbursement will be made for less than 5 special education students who require special transportation on an individual basis. This transportation may be provided by district-owned or contracted vehicles, a public carrier, or by payment to parents in place of student transportation services, whichever is in the best interest of the student.

SECTION 3. FEDERAL SPECIAL EDUCATION FUNDING

Excess Cost and Maintenance of Effort

A district may use federal funds only for the excess costs of providing special education and related services for children with disabilities. The *excess cost* requirement means that the district must spend a certain minimum amount for the education of its students with disabilities before federal funds are used. This ensures that students served with federal funds have at least the same average amount spent on them, from sources other than federal funds, as do the students in the school district taken as a whole. If a district can show that it has (on the average) spent the minimum amount for the education of each of its children with disabilities, it has met the excess cost requirement.

A district must use federal funds to supplement and, to the extent practicable, increase the level of state and local funds expended for the education of children with disabilities, but in no case to supplant those state and local funds.

Each district that receives Part B funds must spend, in any particular fiscal year, on either an aggregate or per capita basis, the same amount of state and local funds on special education as it did in the previous fiscal year. There are four allowances given for reduced spending on special education:

1. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education personnel, who are replaced by qualified, lower-salaried staff. The district must ensure that those voluntary retirements or resignations and replacements are in full conformity with
    - Existing district school board policies.
    - The applicable collective bargaining agreement in effect at that time.
    - Applicable state statutes.
2. A decrease in the enrollment of students with disabilities.
3. The termination of the obligation of the agency to provide a program of special education to a particular student with a disability that is in an exceptionally costly program, as determined by the State educational agency, because the student:
    - Has left the jurisdiction of the agency,
    - Has reached the age at which the obligation to provide FAPE to the student has terminated, or
    - No longer needs a special education program.
4. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment.

Consolidated Applications

Districts that submit a Consolidated Application, as members of a consortium, base the non-supplanting requirement on the total expenditures of the consortium. Consequently, as long as the consortium as a whole meets the non-supplanting requirement, the status of each individual member, in terms of whether it meets the requirement, does not affect the consortium's eligibility for receiving Part B funds. However, all consortium members have a joint responsibility to ensure that the consortium meets the non-supplanting requirement in order to receive Part B funds.

The department will review and compare a particular fiscal year's school district financial audit to the previous year's financial audit. The department will also compile a list of consortium members and compare the financial audits as a whole. If the comparison of the financial audits suggest that a school district may be out of compliance, the department will contact the school district for additional information and resolution. If the school district or consortium fails to meet the non-supplanting requirement, they will not receive their Title VI-B funds for that year.

Comparable Services

A district may not use federal funds to provide services to students with disabilities unless the district uses state and local funds to provide services to those students that, taken as a whole, are at least comparable to services provided to other children with disabilities in the district.

Permissive Use of Funds

A district may use federal funds to carry out a school-wide program under section 1114 of the Elementary and Secondary Education Act of 1965, except that the amount so used in any such program may not exceed the amount received by the district under Part B for that fiscal year divided by the number of students with disabilities in the jurisdiction of the district; and multiplied by the number of students with disabilities participating in the school-wide program.

Federal funds may be used for the costs of special education and related services and supplementary aids and services provided in the regular class or other education-related setting to a with a disability in accordance with the IEP, even if one or more nondisabled students benefit from such services.

A district may use up to five percent of federal funds received under Part B for any fiscal year, in combination with other funds, to develop and implement a coordinated service system designed to improve results for students and families, including students with disabilities and their families.

Application for Federal Funds

A district providing special education and related services may apply for federal financial aid under the IDEA 97. Federal funding is provided through two programs:

1. Part VI-B for students with disabilities ages 3 through 21; and
2. Section 619 - Preschool Disabled for students ages 3 through 5. These students can be counted for both VI-B funds and Section 619 funds.

The calculation of a district's allocation is determined by the December 1st student count of the year preceding the application. Funding is based on the number of eligible students with disabilities being served on the December 1st count date.

To qualify for federal special education funds, a district must submit to the department for approval a plan of service that describes the policies, procedures, assurances and goals for providing special education services in compliance with state and federal requirements. The Alaska Special Education Handbook for Serving Students with Disabilities may be adopted by a district to satisfy the requirements of an annual plan of service, or a district may develop its own policies, procedures, assurances, and goals.

The following are the procedures, in addition to the plan of service, for applying for federal special education funds:

1. Complete an application provided by the department. An application must be completed for each program for which the district is applying for funding. Applications are due by April 15th each year and must include the following:
    - A budget page that breaks out anticipated expenditures by budget category utilizing the 1996 Edition of the Alaska Department of Education Uniform Chart of Accounts for School Districts.
    - A budget narrative. This requirement applies even if budget items do not differ from the previous year's application. If the new budget item is for personnel, a copy of the job description for the position being funded must be provided.
    - A copy of any contract that will be paid with VI-B or Section 619 funds that exceeds $5,000 in value.

- Statement of Assurances with original signatures for Title VI-B and Section 619 applications.

Applications should reflect the level of allocation awarded in the previous year. Actual awards will be adjusted once the U.S. Department of Education provides the award notification.

2. Provide the department with the following information, if there is a private school in the district:
   - A description of how the district will meet federal requirements for participation of students enrolled in private schools.
   - The number of students enrolled in private schools that have been identified as eligible for special education as disabled.
   - The number of students with disabilities enrolled in private schools that will receive benefits.
   - The basis used to select the students.
   - The manner and extent to which the district consulted with appropriate representatives of students enrolled in private schools during all phases of the development and design of the program, including:
     - ☐ How the student's needs will be identified.
     - ☐ What benefits will be provided.
     - ☐ How the project will be evaluated.

     The district must consult with appropriate representatives of private schools before making any decision that affects the opportunities of students to participate in the program. The district shall give the appropriate representatives a genuine opportunity to express their views regarding each matter subject to the consultation requirements.
   - The places and times that the students will receive benefits under this program.

When funds are awarded, the district must submit the following information to the department on forms provided by the department:

1. Information about the number of students with disabilities served (Table 1), due December 15.
2. Information on the implementation of the FAPE requirement (educational placement) for students with disabilities (Table 3), due July 15.

3. Information on students with disabilities exiting from special education (Table 4), due July 15.
4. Information on students with disabilities suspended or expelled for drug or weapon offenses (Table 5), due July 15.
5. A quarterly financial report within 30 days after the end of each quarter, and a summary of activities report 30 days after the close of any activity for which financial aid is provided.

Forms for submitting this information to the department may be found in Appendix A and also on the on the department's web page (http://www.eed.state.ak.us/tls/sped/).

Review of Applications

Departmental procedures for reviewing local applications and significant local application amendments include the following:

1. Applications and significant local application amendments will be reviewed by the department. The application must meet all of the federal requirements of a local education application and be in compliance with all state and federal laws and regulations. In addition the district must have completed all corrective actions from any recent compliance monitoring visit before a new application will be approved.
2. The department will notify a district of the action taken on its application. Approval by the department must be received before commencement of activities.
3. If a district's application for federal funds does not meet all the requirements for approval, the department will provide the district with notice and an opportunity for a hearing before the application is disapproved. The district will have 30 days to request a hearing.

A district is required to submit an application only once to the department instead of once every three years as was the previous requirement. Additional information may be requested by the department when there are:

1. amendments to the IDEA 97 or Federal regulations
2. new interpretations of either the IDEA 97 or its regulations by Federal or State courts
3. an official finding of noncompliance with Federal or State law or regulations.

In these instances, the department may require the district to modify its application only to the extent necessary to ensure the district's compliance.

SECTION 4. SPECIAL EDUCATION SERVICE AGENCY (SESA)

The Special Education Service Agency (SESA) is a public agency that assists districts in serving children with low incidence, severe disabilities. SESA's core service is the Low Incidence Disability Outreach Program. This program employs special education teachers with advanced training and specialized disability experience. SESA is funded primarily through the Alaska Department of Education and Early development, and most SESA services are available at no cost to school districts.

SESA specialists provide technical assistance to help local school district personnel and parents develop and implement an effective education program based on student needs. SESA personnel also support schools in implementing these programs.

SESA Services

Types of service available through SESA include:

- Assessments for educational planning
- Sample educational materials
- Modeling and/or teaching other persons how to conduct program(s)
- Evaluation of student progress and recommendations/Monitoring of intervention strategies and IEP development
- Workshops, in-services, and technical assistance (staff, parent, school, district-wide). Generally, in-service workshops are limited to schools also receiving on-site consultations.
- District -wide training
- Student-specific services
- School or district-wide services
- Special project services
- Orientation and mobility training (for eligible students only)

Technical assistance may be student-specific, school-wide, or district-wide, depending on the number of eligible students and SESA resources. Technical assistance consultations may be provided through:

- On-site Visits
- In-service training
- Topical workshops
- Information dissemination (newsletter, World Wide Web, listserve, manuals)

SESA attempts to provide specialists that have expertise in these areas of disability:

- Autism
- Deafness
- Deaf-Blindness
- Hard of Hearing
- Multiple Disabilities
- Severe Mental Retardation
- Orthopedic Impairment
- Other Health Impairment
- Emotional Disturbance
- Traumatic Brain Injury
- Visual Impairment

Eligibility for On-going Service

To be eligible for caseload (on-going) service through the Low Incidence Disability Outreach Program, the student's special education needs must be considered low incidence (occur infrequently in the special education population). In addition, the district enrollment of students with similar needs must be too low to warrant a district-employed specialist. The Alaska Legislature and EED expect districts to employ their own disability specialists when enrollments exceed the intent of the Legislature in creating SESA and the Low Incidence Disability Outreach Program.

This does not mean, however, that all SESA services are restricted to districts with very low enrollments of students with a low incidence disability. All districts have access to SESA service options such as the specialized library, the SESA Newsletter, and the SESA web site (http://www.sesa.org). Districts may also request short-term assistance through workshops, program reviews, etc. Such requests will be granted as resources allow.

Districts should understand that assistance provided through SESA's Low Incidence Disability Outreach Program is supplemental to the district's programming. State and federal requirements in the identification, evaluation, planning, and education of students served through the Low Incidence Outreach Program remain the responsibility of the district.

Topics commonly addressed by Low Incidence Outreach specialists include:

- educational planning and placement
- instructional methods and materials
- behavior programs
- assistive technology
- transition planning
- evaluating the effectiveness of instruction.

All consultations are customized to the needs of the eligible student(s) and district staff.

Referral Information

Information regarding Low Incidence Outreach and grant services, eligibility requirements for those services, and application procedures may be found in the packet of SESA information that is given to all district Special Education Directors each fall. Referrals must be made through the district's Special Education Director or by the EED.

Completed referrals are reviewed by SESA specialists to determine the service needs and priorities of the student and the student's school staff. Referrals are assigned to specialists as allowed by existing SESA caseloads and staffing. Students for whom no specialist is available may be placed on a wait list. In such cases, the district is contacted to determine if interim alternative services might be available.

PART X

COMPLIANCE MONITORING

Sections

1. Information Needed Prior to Review
2. Maintaining Student Records
3. Student File Review Form
4. Monitoring Checklist

This Part provides a summary of the information the department will review when monitoring district special education programs. The department will be changing its monitoring process over the next two years to be consistent with the U.S. Department of Education, Office of Special Education's (OSEP)new monitoring system: *Continuous System of Improvement*. All districts will be a part of this dynamic and annual process of self-evaluation.

SECTION 1. INFORMATION NEEDED PRIOR TO REVIEW

Prior to a compliance monitoring review, a district must send the following information to the department **at least 30 days in advance of the review**:

1. An alphabetized list of the special education students served during the current school year grouped by school site and teacher or related service provider (during the on-site visit, attendance records of special education service providers and regular education teachers, if appropriate, will be used to confirm that students on this list are receiving special education services).

   If the review is conducted prior to December 1st, the district must also send a list of the students served during the previous school year. The purpose of these lists is to confirm the federal special education student count and the number of students claimed as intensive for state foundation funding submitted by the district. The counts are taken on the fourth Friday in October for state foundation funding and on December 1st for federal funding.

   The special education list must include:

   - student's name and birthdate.
   - disability category.
   - school building where special education services are provided.
   - special education entry date and exit date.
   - whether the student is claimed for intensive funding.

2. The district's policy and procedures manual (unless the district has adopted the Alaska Special Education Handbook, in which case, a statement to that effect).

3. The district's Child Find Plan, including:

   - samples of the district's annual public notice (e.g., flyers, audiotapes, letters to physician's offices).
   - documentation of screening.

- written procedures for receiving referrals.

4. A list of persons and/or agencies from which independent evaluations may be obtained.
5. The district's documentation of implementing its Personnel Development Plan including a:
    - record of training provided to preschool teachers (see Appendix F for the Early Childhood Special Education Requirement form) and appropriate transcripts for the six semester hour requirement (see Part VIII, Section 3).
    - record of training provided to paraeducators (see Part VIII, Section 5).
    - record of training provided to persons collecting or using personally-identifiable information (see Part VII, Section 9).
    - record of training/certification of Interpreters for the deaf.
    - record of training to district personnel on special education referral process (Child Find)
6. List of employees who have access to confidential records.
7. List of private schools, charter schools, and correspondence schools in the district and documentation of contact.
8. List of juvenile detention centers and adult correctional facilities in the district.
9. Names, positions, and teacher certification numbers (i.e., social security number) of special education teachers, administrators, and related service providers (also include names of paraeducators).
10. List of the Surrogate Parents and documentation they have received training.
11. Copies of the district's interagency agreements with
    - Local infant learning programs
    - Head Start programs
    - Division of Vocational Rehabilitation
    - Other appropriate agencies/programs (e.g., juvenile justice, corrections.

SECTION 2. MAINTAINING STUDENT RECORDS

During a monitoring visit a sample of student files will be reviewed. The items listed on the required File Components form (located later in this Part) will be reviewed and evaluated for those files selected. The items listed on this checklist must be maintained for each special education student. Except for special education attendance, which is maintained by the service provider, these records must be maintained in a single file and be available to the department for compliance monitoring reviews.

Note: Historical data (older than 3 years) should be maintained in separate files or pulled from the main file and put in a confidential envelope. These data must be maintained in a secure, locked filing cabinet.

Attendance

Each special education service provider, including related service providers, must maintain an attendance record for the special education students served. When a paraeducator is assisting in providing services with itinerant supervision, the paraeducator must maintain attendance records. The paraeducator must be trained in taking positive attendance and must be supervised to ensure that these records are accurately maintained. The attendance records must indicate for each year: (1) the date the student enters the program, (2) the daily attendance, and (3) the date the student exits the program. The attendance records are extremely important. The attendance records provide proof that the district is serving the student and therefore documents that the district is eligible for state and federal special education funds.

Positive attendance must be kept. "Positive attendance" means that a record is made when the student is present (versus recording only when a student is absent). The following is a recommended method of maintaining an attendance record:

P = Present

A = Absent

T = Tardy

E = Entry; first day of attendance in class or service

W = Withdrawal; last day of attendance in class or service.

For a student who is provided special education services in the regular classroom, attendance records must be maintained. The following methods are suggested:

1. When the special education teacher and/or related service provider, as specified in the IEP, provides special education services, attendance records are maintained by the special education teacher; or
2. When the regular classroom teacher, as specified in the IEP, provides special education services, attendance records are maintained by the regular classroom teacher. (Training of general education staff on taking positive attendance must occur.) Attendance records must clearly indicate the days special education services are provided.
3. In addition, monthly supervision of the program is required. This must be reflected in the attendance records of the special education teacher.

When a student moves from one district to another, both districts must maintain all the records necessary to document that the student was appropriately served. A district shall maintain records until no longer needed to provide educational services, but not less than five years.

The remainder of this Part is a detailed compliance monitoring checklist of the items that may be reviewed during a compliance monitoring review. The checklist includes examples of specific indicators that can be used to determine the existence of compliance with the specific requirements. The checklist can be used by districts as a self-monitoring tool.

Student File Review Form

Required File Components

MASTER ☐
Full Review ☐
Target Review ☐

Student's Name/Gender

School District/School

Grade/Birthday/Age

Special Education Eligibility Category

Native Language

If Transfer From Another District, List District and Date of Transfer

Claimed for intensive funding ______ Verified ______

Comment:

☐ Confidentiality access signature
☐ Name, address and telephone number of parent(s)
☐ Names, addresses, and telephone numbers of other important contact persons (e.g. surrogate parents)
☐ Referral from: ____________________ Date: ______

EVALUATION INFORMATION

☐ Consent for initial evaluation Date: ______
☐ Evaluation protocols and any individual evaluation report: ____________________
☐ Evaluation Summary/Eligibility Report Date: ______
  ☐ Signed by team members

  - ☐ Includes data from more than one team member
  - ☐ Provides justification for selected disability category
- ☐ Observation (Required for LD only)
- ☐ Consent for reevaluation Date: ________
- ☐ 3 yr. reevaluations Dates: ________
- ☐ If no additional data are needed for initial evaluation or re-evaluation, there is documentation that this was a team decision.

PLACEMENT

- ☐ Consent for initial placement in special education Date: ________
- ☐ Placement within 30 calendar days of eligibility determination
- ☐ Placement within 45 school days of parent consent for evaluation
- ☐ IEP implemented as soon as possible following IEP meeting
- ☐ If transfer from another district, IEP team convened and documented decision to decide whether to accept or change the eligibility and current IEP.

WRITTEN PRIOR NOTICE, AS APPROPRIATE

- ☐ Initial evaluation ____________________
- ☐ Change of IEP ____________________
- ☐ Reevaluation ____________________
- ☐ Change of IEP, when parents disagree ____________________
- ☐ Change in IEP, when parents miss IEP meeting ____________________
- ☐ District refused action (involving identification, evaluation, placement) ____________________

☐ Change in placement (including IAES, suspension for 10 days) ______________________________

☐ Other ______________________________

IEP INFORMATION:

IEP Meetings

☐ Invitation to IEP meeting Date: ________ Comment: ______________________

Parent: ☐ Telephone ☐ Written ☐ If student is invited, student's name is listed as invited.

Student: ☐ Telephone ☐ Written (age 14+ or when re: transition) ☐ If parent is invited, parent is listed as invited.

IEP

☐ Current IEP Date: ________ Comment: ______________________

☐ List of IEP participants, and their role

- ☐ Student's parents/surrogate (if not in attendance need written prior notice) ________________
- ☐ Student, when appropriate (age 16+ or when re: transition) ________________
- ☐ District representative ________________
- ☐ Special education teacher or Special education provider ________________
- ☐ General education teacher ________________
- ☐ Private school representative, when appropriate ________________
- ☐ Transition service providers, when appropriate ________________
- ☐ Other: ________________

Services

☐ Projected start date and anticipated frequency, duration, and location of services.

- ☐ Special education, including the amount of service. ______________________
  - ☐ Related services, including the amount of service: ______________________
  - ☐ Documentation of at least monthly on-site program supervision by itinerant provider or documentation as to why on-site supervision was not delivered and steps taken to provide regular supervision (e.g. teleconferences, video exchange).
  - ☐ Documentation of supervision of non-certified staff by certified staff
  - ☐ Regular education participation ______________________

☐ Present level of educational performance: (including student strengths, information provided by parents and other current data related to the student's needs; transition needs; how disability affects involvement in general curriculum; or for preschoolers, how disability affects participation in age-appropriate activities and how the student will be involved and progress in the general curriculum)

____

____

____

☐ There is a direct relation between the present level of performance statements and other IEP components.

Goals and Objectives

☐ Measurable annual goals (meaningful, measurable, able to be monitored frequently and repeatedly):

____

____

____

☐ All areas of need are listed as goals ______________________

☐ Goals are written to increase participation in the general education curriculum and/or address Alaska State Performance Standards.

☐ Measurable short term objectives or benchmarks that include:

- ☐ (1) Objective criteria ______________________

  - ☐ (2) Evaluation procedures ______________________
  - ☐ (3) Schedules ______________________
- ☐ Student receives a full instructional day. If not, shortened day is determined on an individual basis.

Other IEP Components

- ☐ Parent notification of student progress at least as often as other students: ______________________
- ☐ Progress reports address student progress towards achieving IEP goals.
- ☐ Documentation ESY was considered: ______________________
- ☐ Student participation in statewide testing: ______________________
  - ☐ Accommodations used in instructions that are needed for participation in statewide testing:
    ____
  - ☐ How student will be assessed: ______________________
- ☐ Supplementary aids and services to be provided to the child or on behalf of the child.
- ☐ Consideration of special factors: ______________________
  - ☐ Positive behavior interventions, strategies, & supports: ______________________
  - ☐ Language needs for student with LEP: ______________________
  - ☐ Braille instruction or use of Braille: ______________________
  - ☐ Communication needs, and communication opportunities for student who is deaf: ______________________
  - ☐ Assistive technology devices and services: ______________________
- ☐ Explanation of the extent, if any, the student will not participate with nondisabled children: ______________________
- ☐ Program modifications or supports for school personnel to help the student :
  - ☐ Advance toward annual goals: ______________________
  - ☐ Be involved and progress in the general curriculum: ______________________

    ☐ Participate in extracurricular and other activities: ______________________

☐ Justification of placement in least restrictive environment: ______________________

Preschool Transition

☐ Documentation that the district participated in a transition planning conference with the ILP and family at least 90 days before the child's third birthday ______________________

Secondary Transition

☐ Statement of transition service needs related to course of study (14+): ______________________

☐ Statement of needed transition services (16+): ______________________

- ☐ (1) Instruction, or
- ☐ (2) Related services, or
- ☐ (3) Community experiences, or
- ☐ (4) Development of employment and other post school adult living objectives
- ☐ (5) Acquisition of daily living skills and vocational evaluation, when appropriate
- ☐ (6) Statement of interagency responsibilities and/or linkages, when appropriate

☐ Statement that student notified of transfer of rights at age 18: ______________________

DISCIPLINE RECORDS

Discipline: > 10 school days, weapon, controlled substance, dangerousness

☐ IEP team convened

☐ Notice given

☐ Functional behavioral assessment: ______________________

☐ Behavior intervention plan: ______________________

☐ Placement in interim alternative educational setting: ____________________

☐ Continue to provide a FAPE: ____________________

Comments: ____________________

EXIT INFORMATION

☐ Prior written notice provided: Date: __________

☐ IEP meeting (when appropriate): Date: __________

☐ Exit form completed: Date: __________

- ☐ Graduation
- ☐ Other: ____________________

HISTORICAL INFORMATION

☐ IEPs for the previous 5 years or as appropriate

☐ Previous prior written notices

☐ Previous Evaluation summary/Eligibility reports

COMMENTS:

SECTION 3. MONITORING CHECKLIST

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
1.0 **GENERAL**			
1.1 **All special education students must be provided with a Free Appropriate Public Education (FAPE).**			
1.1.1 Free: Services are provided without charge to parents.	absence of parental complaints regarding being charged for services		
1.1.2 Appropriate: Services are provided in conformity with an Individualized Education Program (IEP).	current IEPs available and implemented as written		
1.1.3 Public Education: Services are provided at public expense, under public supervision and direction.	public school program: attendance records show student participation in special education and related services in an accredited public school program private school program: attendance records show participation in public school special education program		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
	students placed in out-of-state facilities records show participation in an approved special education program		
1.1.4 * Districts with correctional facilities (juvenile detention centers, adult correctional facilities) must identify per Child Find requirements and make FAPE available to incarcerated youth. Services are not required for students, who, in the educational placement prior to their incarceration in an adult correctional facility were not actually identified as being a child with a disability; or did not have an IEP.	juvenile detention centers and/or adult correctional facilities: attendance records show participation in special education program		
1.1.5 Students Suspended or Expelled	records indicate that appropriate services were provided to students suspended or expelled for more than 10 school days in a school year		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
FAPE required for students removed for more than 10 days in a school year. Services provided must enable the student to progress in the general curriculum and advance toward achieving his/her IEP goals. (See 7.9, 7.10, 7.11)			
1.2 **Ages 3 through 21:** Services are provided to children ages 3 through 21.	school records have birthdates indicating ages of children served		
1.3 **Full Educational Opportunity:** (Each disabled child is provided a full educational opportunity.)	IEP indicates involvement in regular education		
	IEP indicates involvement in a variety of educational programs (e.g., art, music, industrial arts) equal to those provided to non-disabled children		
	student records indicate involvement in non-academic and extra-curricular activities (e.g., athletics, clubs, recreational activities) equal to those provided to non-disabled children		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
	student records, teacher interview, parental feedback indicate involvement in regular PE or IEP indicates specially designed PE (adapted PE)		
	observation of child's participation in regular education activities		
1.4 **Proper Functioning of Hearing Aids**	child, teacher and/or audiologist confirm that aids are checked		
2.0 **Identification (Child Find Plan)** (Identification means the continuous and systematic effort to find children three through twenty-one who are in need of special education, including highly mobile children, and children suspected of being a child with a disability even though the child is advancing from grade to grade.)	appropriate Child Find Plan exists		
	Child Find Coordinator identified		
2.1 **Ages 3 through 21:**	specific mention of all age groups 3 through 21 is included in the Child Find Plan		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
2.2 **Annual Public Notice**	procedures for providing notice to reach parents of children enrolled in public schools, including charter schools and correspondence programs; and private schools are outlined in Child Find Plan		
	records of TV spots, dated newspaper announcements, etc.,		
	notice includes: a. types of disabilities which qualify as a disabling condition b. educational needs of children with disabilities c. right to FAPE d. special services available through district		
	records of notices in each language in which district has a bilingual program		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
2.3 **Screening Process** Vision Hearing Health Motor, language and social development General basic skills and general development Primary language and culture Daily skills in home and community (obtained through parental input)	procedures for screening program are outlined in Child Find Plan summarized results of screening programs are available documented evidence that district Child Find activities are coordinated with Part C (0-3) Child Find activities		
2.4 **Referral Procedures** (Regular intervention activities must not be used to delay referral to special education.)	• procedures for referral are outlined in Child Find Plan • documentation that staff have been trained in Child Find referral procedures • referral form is present in eligible student files • person identified to review referral information • records indicate appropriate use of regular intervention activities prior to referral		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.0 **Evaluation** (Evaluation is the process of utilizing formal and informal procedures to determine whether a child is eligible for special education and the nature and extent of the special education and related services the child needs)			
3.1 **Prior Written Notice** (Notice is provided to parents regarding recommendation for evaluations and the type of tests to be given.)	records document that prior written notice was provided to parents		
3.2 **Consent** (Consent is obtained from parents to conduct initial evaluations before the evaluation is conducted.)	signature of parent is on "initial consent for evaluation" form consent form is dated prior to the evaluation		
3.3 **Evaluations Are Timely** (Evaluation and placement in special education is completed within 45 days of initial consent for evaluation.)	comparison of date on "initial consent for evaluation" form and placement in special education indicates evaluation occurred in 45 days or less		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.4 **Selection of Evaluation Procedures/Materials**			
3.4.1 Evaluation process includes a review of existing information	documentation exists that the team reviewed existing date and on that basis determined what additional information was needed.		
3.4.2 Procedures/instruments valid for purpose used.	procedures/instruments are applicable for student(s) evaluated		
3.4.3 Evaluation process includes more than one procedure.	more than one procedure or instrument is used in the evaluation process		
3.4.4 Procedures/instruments provide functional and developmental information that assists in determining IEP content and enabling the child to be involved in and progress in the general curriculum.	procedures/instruments provide appropriate functional, developmental, and behavioral information		
3.4.5 Procedures/instruments reflect aptitude or achievement level regardless of impairment.	documentation exists that accommodations are been made to facilitate performance (e.g., alternate mode of communication, large print, etc.) when appropriate		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.4.6 Procedures/instruments selected and administered so as not to be racially or culturally discriminatory	procedures/instruments are applicable for student(s) evaluated		
3.4.7 Procedures/instruments used to assess a child with limited English proficiency assess the need for special education, rather than English language skills	procedures/instruments are applicable for students evaluated		
3.4.8 Evaluation materials include information obtained from the parents.	records document that information was obtained from parent(s) or that parents were asked for their input		
3.5 **Administration of Evaluation Procedures/Instruments**			
3.5.1 Administration in native language, when appropriate.	documentation of level of language fluency of the child in L_1 and L_2 based on state bilingual categories A-E (Chapter 34 regs., Appendix C in Special Ed. Handbook) documentation that examiner is proficient in native language of student		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.5.2 Administration in other mode of communication (e.g., sign language), when needed.	documentation that the examiner is proficient with other mode of communication of the child		
3.5.3 Administration by trained personnel.	documentation indicates examiner has training specified in administration instructions for procedures/instruments		
	procedures are in place for contracting with examiner with specified skills		
3.6 **Assess all areas related to suspected disability**	there is consistency between the areas of concern on referral form and areas assessed		
3.7 **The IEP Team and other qualified professionals**	the persons who assess the child signed the Evaluation Summary and Eligibility Report		
	required members of IEP Team signed Evaluation Summary/Evaluation Report		
	the parents signed the report or were provided with "prior written notice" and a copy of the Evaluation Summary/Eligibility Report		
	one team member is a teacher or other specialist with knowledge in suspected disability		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.8 **Evaluation occurs prior to placement**	comparison of evaluation date with program start date indicates that evaluation occurred prior to placement		
3.9 **Re-evaluation** (Re-evaluation considered at least every three years.)	records indicate re-evaluation considered at least every three years records indicate additional evaluations are conducted, as appropriate		
3.9.1 Consent for re-evaluation (if not obtained after reasonable measures taken and documented, and parent has failed to respond, then can proceed with reevaluation)	signature of parent on consent for re-evaluation form; form dated prior to evaluation		
3.9.2 Additional Data Not Needed If determined that additional data are not needed to establish eligibility, parents notified of determination	there is documentation that additional data are not needed to determine eligibility (when appropriate) records indicate that parents notified that additional data are not needed and the reasons for it and of their right to request an assessment to determine whether the student is eligible for special education services		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.10 **Independent Educational Evaluations (IEE)** (Provide opportunity for parents to seek independent evaluations to determine eligibility.)			
3.10.1 Provision of information to parents	district provides list of where independent evaluations can be obtained district provides list of criteria the district uses when initiating an evaluation		
3.10.2 Independent evaluations at public expense.	invoice, payment record for independent evaluations show district paid for IEE		
3.10.3 Consider results of independent evaluations.	Evaluation Summary and Eligibility Report indicates independent evaluations considered		
3.10.4 Results may be presented as evidence at a hearing.	district informs parents of this right in parent rights notice		
3.10.5 If hearing officer requests independent evaluation, cost is at public expense.	district informs parents of this right in parent rights notice		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3.10.6 Independent evaluations at public expense must meet agency criteria for evaluations.	district informs parents of this right in parent rights notice		
4.0 **ELIGIBILITY** (Eligibility involves the criteria that determine whether a child with a disability is in need of special education and related services.)			
4.1 **Autism** To be a eligible for special education and related services as a child with autism, a child must:			
4.1.1 exhibit a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age three, that adversely affects educational performance; and	evaluation data document autism **and** indicate that educational performance has been adversely affected		
4.1.2 require special facilities, equipment or methods to make the child's educational program effective; and			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.1.3 be diagnosed as autistic by a psychologist licensed under AS 08.86. and certified under 4 AAC 12.040, or endorsed under 4 AAC 12.060; and			
4.1.4 be certified by the IEP team as qualifying for and needing special education services. (A child who manifests the above characteristics after age 3 could be diagnosed as having autism.)	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.2 **Deafness** To be eligible for special education and related services as a child who experiences deafness; a child must:			
4.2.1 exhibit a hearing impairment that hinders the child's ability to process linguistic information through hearing, with or without amplification; and	evaluation data document a hearing impairment and indicate that educational performance has been adversely affected		
4.2.2 require special facilities, equipment or methods to make his educational program effective; and			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.2.3 be diagnosed by a physician or audiologist as deaf; and			
4.2.4 be certified by an IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.3 **Deaf-Blindness** (Dual Sensory Impairment) To be eligible for special education and related services as a child who experiences deaf-blindness, a child must:			
4.3.1 exhibit concomitant hearing and visual impairments, the combination of which causes such severe communication and other development and educational problems that the child cannot be accommodated in a special education program solely for children with deafness or blindness; and	evaluation data document visual and hearing impairments that cannot be accommodated in a program solely for a deaf or blind child and indicate that educational performance has been adversely affected		
4.3.2 require special facilities, equipment or methods to make the child's educational program effective; and			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.3.3 be diagnosed by an optometrist or ophthalmologist and by a physician or audiologist, as appropriate, as deaf-blind; and			
4.3.4 be certified by the IEP team as qualifying for and needing special education services for the deaf-blind.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.4 **Emotional Disturbance** To be eligible for special education and related services as a child with an emotional disturbance, a child must:			
4.4.1 exhibit one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance:	evaluation data document one or more of characteristics (a through e) **and** indicate that educational performance has been adversely affected		
a. an inability to learn that cannot be explained by intellectual, sensory or health factors;			
b. an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
c. inappropriate types of behavior or feelings under normal circumstances;			
d. a general pervasive mood of unhappiness or depression; or			
e. a tendency to develop physical symptoms or fears associated with personal or school problems.			
The term includes children who are schizophrenic but does not include children who are socially maladjusted.			
4.4.2 require special facilities, equipment or methods to make his or her educational program effective; and			
4.4.3 be diagnosed as emotionally disturbed by a psychiatrist or by a psychologist; and			
4.4.4 be certified by the IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.5 **Hearing Impairment** To be eligible for special education and related services as a child with a hearing impairment, a child must:			
4.5.1 exhibit a hearing impairment that adversely affects educational performance but which is not within the meaning of deaf; and	evaluation data document hearing impairment (but not deaf) **and** indicate that educational performance has been adversely affected		
4.5.2 require special facilities, equipment or methods to make his educational program effective; and			
4.5.3 be diagnosed by a physician or audiologist as hard of hearing; and			
4.5.4 be certified by an IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility certification was made by the IEP team		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.6 **Learning Disability** To be eligible for special education and related services as a child with a learning disability, a child must:			
4.6.1 exhibit a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations The term includes such conditions as: perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, developmental aphasia.	evaluation data document a disorder **and** indicate that educational performance has been adversely affected		
4.6.2 Learning disability does not include children who have learning problems that are primarily the result of:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
a visual disability a hearing disability mental retardation emotional disturbance environmental disadvantage			
4.6.3 In evaluating a child suspected of having a specific learning disability, the IEP team must include: a. the child's regular teacher; or b. if the child does not have a regular teacher, a classroom teacher qualified to teach a child of his or her age; and c. at least one person qualified to conduct individual diagnostic examination of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.	the Evaluation Summary and Eligibility Report indicates that the team making the eligibility decision includes the required team members		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.6.4 A team may determine that a child has a specific learning disability if: a. the child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed below, when provided with learning experiences appropriate for the child's age and ability levels; and b. the team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas: • oral expression • listening comprehension • written expression • basic reading skill • reading comprehension • reading comprehension • mathematics calculation • mathematics reasoning	information in files and the Evaluation Summary and Eligibility Report documents eligibility		

SECTION 3. MONITORING CHECKLIST

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.6.5 Observation At least one IEP Team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.	summary of observation is part of LD report; report is signed by qualified observer who is other than the child's regular teacher		
An observation must document the name and title of the observer, the site of the observation, and the date of the observation. The observation must be attached to the Evaluation Summary and Eligibility Report.			
4.6.6 Written Report The IEP team shall prepare a written report of the results of the evaluation. The report must include a statement of:	the Evaluation Summary and Eligibility or (LD) Report indicates that the eligibility decision was made by a team that considered the required information		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS

- whether the child has a specific learning disability;
- the basis for making the determination;
- the relevant behavior noted during the observation of the child;
- the relationship of that behavior to the child's academic functioning;

the educationally relevant medical findings, if any;

a. whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services;

b. the determination of the team concerning the effects of environmental, cultural or economic disadvantage;

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
c. the report must be dated and each team member shall certify in writing (by his or her signature) whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team members must submit a separate statement presenting his or her conclusions.			
4.6.7 The child must require special facilities, equipment or methods to make his or her education program effective.			
4.6.8 The child must be certified by the IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.7 **Mental Retardation** To be eligible for special education and related services as a child with mental retardation, a child must:			
4.7.1 score two or more standard deviations below the national norm on an individual standardized test of intelligence; and	evaluation data documents IQ score, deficits in adaptive behavior, **and** indicates that educational performance has been adversely affected		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.7.2 exhibit deficits in adaptive behavior manifested during the developmental period that adversely affect the child's educational performance; and			
4.7.3 require special facilities, equipment or methods to make his educational program effective; and			
4.7.4 be diagnosed as mentally retarded by a psychiatrist or by a psychologist; and			
4.7.5 be certified by the IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.8 **Multiple Disabilities** To be eligible for special education and related services as a child with multiple disabilities; a child must:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.8.1 exhibit two or more of the conditions described in this section, the combination of which causes such severe educational problems that they cannot be accommodated in a special education program for solely one of the conditions; and	evaluation data document two or more disability conditions exist **and** indicate that educational performance has been adversely affected		
4.8.2 require special facilities, equipment or methods to make the child's educational program effective; and			
4.8.3 be diagnosed as set out in this section for each condition; and			
4.8.4 be certified by the IEP team as requiring special education services that cannot be provided in a program for a single condition.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.9 **Orthopedic Impairment** To be eligible for special education and related services as a child with an orthopedic impairment, a child must:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.9.1 exhibit a severe orthopedic impairment, including impairments caused by congenital anomaly, disease or other causes, that adversely affects educational performance; and	evaluation data document severe orthopedic impairment **and** indicate that educational performance has been adversely affected		
4.9.2 require special facilities, equipment or methods to make his educational program effective; and			
4.9.3 be diagnosed by a physician as orthopedically impaired; and			
4.9.4 be certified by an IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.10 **Other Health Impairments** To be eligible for special education and related services as a child with other health impairments, a child must:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.10.1 exhibit limited strength, vitality or alertness, or a heightened alertness to environmental stimuli, due to ADD/ADHD or due to chronic or acute health problems such as heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia or diabetes, which adversely affects educational performance; and	evaluation data document other health problems **and** indicate that educational performance has been adversely affected		
4.10.2 require special facilities, equipment or methods to make his educational program effective; and			
4.10.3 be diagnosed by a physician as health impaired; and			
4.10.4 be certified by the IEP team as qualifying for and needing special education services.	of the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
4.11 **Pre-School Developmental Delay** To be eligible for special education and related services as a pre-school child with disabilities, a child must:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.11.1 be not less than 3 years old nor more than 6 years of age; **and**	date of birth indicates the child is between the ages of 3-6		
4.11.2 meet the eligibility criteria for: mental retardation, emotional disturbance, deafness, hardness of hearing, orthopedic impairment, other health impairments, visual impairment, autism, TBI, multiple disabilities, deaf-blindness, or preschool speech impaired **or**	evaluation data document child meets the eligibility criteria		
4.11.3 be certified by the IEP team as qualifying for and needing special education services as a **preschooler with developmental delays** by meeting the following criteria: a. functions at least two standard deviations below the mean or 25% delayed in age equivalency in at least one of the following five areas: 1. cognitive development 2. physical development that includes fine and gross motor			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
3. speech/language development that includes articulation, fluency, voice and language			
4. psycho-social			
5. self-help skills; **or**			
b. functions at least 1.7 standard deviations below the mean or 20% delay in age equivalency in two or more of the five areas in "a" above; **and**			
c. has learning problems that are not primarily the result of bilingualism, cultural difference, environmental disadvantage or economic disadvantage.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
Note: There is no pre-school learning disability classification. A child with learning problems who is not less than 3 years nor more than 6 years of age must meet the above criteria for pre-school developmentally delay to qualify for service.			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.12 **Speech Impairment** To be eligible for special education and related services as a child with a speech impairment, a child must:			
4.12.1 exhibit a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, that adversely affects educational performance; and	evaluation data document a communication disorder **and** indicate that educational performance has been adversely affected		
4.12.2 require special facilities, equipment or methods to make the child's educational program effective; and			
4.12.3 be diagnosed by a physician, speech pathologist or speech therapist as speech impaired; and			
4.12.4 be certified by the IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.13 **Traumatic Brain Injury** To be eligible for special education and related services as child with TBI; a child must:	evaluation data document traumatic brain injury **and** indicate that educational performance has been adversely affected		
4.13.1 exhibit an injury to the brain caused by an external physical force or by an internal occurrence such as stroke or aneurysm, resulting in total or partial functional disability or psychosocial maladjustment that adversely affects educational performance;			
4.13.2 require special facilities, equipment or methods to make the child's educational program effective;			
4.13.3 be diagnosed by a physician as having a traumatic brain injury; and			
4.13.4 be certified by the IEP team as qualifying for and needing special education services.	the Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.14 **Visual Impairment** To be eligible for special education and related services as a child with a visual impairment, a child must:			
4.14.1 exhibit a visual impairment not primarily perceptual in nature, resulting in measured acuity of 20/70 or poorer in the better eye with correction, or a visual field restriction of 20 degrees as determined by an optometrist or ophthalmologist, that even with correction, adversely affects educational performance; or	evaluation data document visual impairment **and** indicate that educational performance has been adversely affected		
4.14.2 exhibit a physical eye condition that affects visual functioning to the extent that specially designed instruction is needed; and			
4.14.3 require special facilities, equipment materials or methods to make his educational program effective as determined by a teacher of visually impaired; and			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
4.14.4 be certified by the IEP team that includes a certified teacher of visually impaired as qualifying for and needing special education services.	Evaluation Summary and Eligibility Report indicates that the eligibility decision was made by the IEP team		
5.0 **IEP** **Development, Implementation, Review, Revision** (The IEP should be the product of a collaborative effort between parents and educators that identifies the unique needs of a child and the plan of services to meet those needs.			
5.1 **Existence of IEP** (Each eligible child with a disability has an approved IEP.)	student file contains a current IEP		
5.2 **Conduct IEP Meeting**	date and participants in IEP meeting listed on IEP		
5.2.1 Within 30 days after eligibility determination.	comparison of date of eligibility determination with date of IEP meeting shows eligibility occurred within 30 days		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.2.2 Review and revise IEP (at least annually).	record in files indicates reviews occur		
5.3 **Participation in IEP**	listed on IEP attending IEP meeting		
5.3.1 One or both of the student's parents			
5.3.2 The student, when appropriate or when transition services are considered			
5.3.3 District representative (or designee)			
5.3.4 Special education teacher or special education provider			
5.3.5 General education teacher(s), as appropriate (The general education teacher need not participate in all IEP team decisions or the entire meeting. District staff and parents should come to an agreement on the extent of the general education teacher's participation.)			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.3.6 Representative of private school, charter school, correspondence school, as appropriate			
5.3.7 Evaluation personnel	persons conducting evaluation (or other team member knowledgeable about the evaluation procedures used and the results) attend IEP meeting and at other meetings as appropriate		
5.3.8 Related service personnel			
5.3.9 Representative from public agency(ies) responsible for providing or supervising the provision of transition services			
5.3.10 Other individuals (at discretion of parents or district)			
5.4 **Parent/Student Participation** Take steps to insure parents/student (transition age) participate.			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.4.1 Schedule meeting at mutually agreed upon time and place with meeting scheduled early enough to ensure parents the opportunity to attend.	dated letter, form, log or record of telephone call indicating contact with parents/student regarding options for time, place of meeting, and who will attend meeting		
5.4.2 Invite parents/student to meeting: a. state purpose of meeting b. state time of meeting c. state location of meeting d. state who will attend meeting e. inform parents of their right to bring other participants to the meeting	dated letter, form, log or record of telephone calls documenting invitation components invitation to student lists parent as invited to the meeting; invitation to parent lists student as invited to the meeting, as appropriate		
5.4.3 Involvement of parents through telecommunication or other methods.	log of call corresponds with date of IEP meeting		
5.4.4 Conducting meeting without parent or student (transition age) participation.	documentation of efforts to encourage parental/student participation		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
	a) detailed record of telephone contacts b) copies of correspondence to or from parents/student c) detailed records of visits to a place of employment d) documentation of justification for student nonparticipation and how student needs, preferences and interests were considered		
5.4.5 Ensure parent understanding of meeting.	documentation that interpreter for parents who are deaf, or speaker of parents' language, if other than English,. were provided, when appropriate		
5.5 **Content of IEP** **All IEPs developed, reviewed, or revised since July 1, 1998 must comply with the provisions of IDEA 97.**	current IEP contains the required information		
5.5.1 Names of persons on IEP team and their role.			
5.5.2 List of specific special education and related services, and the supplementary aids and services provided to the child or on behalf of the child including:			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
a. amount of time			
b. frequency of service, including the frequency of site supervision by itinerant service providers			
c. projected start date			
d. anticipated duration of service			
e. location (refers to type of environment, for example, the regular classroom or resource room)			
5.5.3 List of regular education participation or a statement regarding extent of participation in regular education curriculum.			
5.5.4 A statement of the child's present level of educational performance	statement is based on review of existing evaluation data that includes student's strengths and parent concerns, including transition needs, and, as appropriate, the student's performance on state- and district-wide assessments statement includes how the disability affects involvement and progress in the general curriculum, or for preschool children, how the disability affects participation in appropriate activities		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.5.5 Measurable annual goals and short-term objectives or benchmarks.	goals are aligned with state and district performance standards for reading, writing, and math		
	goals and objectives address all needs identified in the present level of educational performance statement		
	goals describe what a student is reasonably expected to accomplish during the school year		
	goals are meaningful, measurable, and written so they can be monitored frequently and repeatedly		
	related service goals are educationally relevant and integrated with the student's educational program		
5.5.6 Objective criteria, evaluation procedures and schedules for the short-term objectives or benchmarks.	short-term objectives or benchmarks are measurable		
	short-term objectives or benchmarks describe tasks that the student must master on the way to achieving the goal		
	short-term objectives describe how progress will be measured		
5.5.7 Statement of how and when parents will be notified of progress toward annual goals	IEP includes the dates parents will be notified of progress		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
	records indicate progress reports were provided to parents at least as often as students without disabilities in the school progress reports address student progress toward annual goals and if progress is sufficient to enable the student to achieve goals by the end of the year		
5.5.8 Statement regarding need for ESY	IEP states if ESY services were considered decision to provide ESY services is made early enough to allow time for parents to appeal the decision		
5.5.9 Statement of modifications in administration of statewide testing that are needed for the student to participate; if IEP team determines student will not participate, a statement of why testing is not appropriate and how the student will be assessed.	IEP addresses student's participation in statewide testing		
5.5.10 Statement regarding consideration of a. the student's need for positive behavioral interventions, strategies, and supports; b. the language needs of a student with limited English proficiency; c. the student's need for instruction in Braille and the use of Braille;	IEP addresses the special considerations		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
d. opportunities for the student who is deaf or hard of hearing to communicate with peers and professional personnel in the student's language and communication mode; whether the student requires assistive technology devices or services.			
5.5.11 Statement of program modifications or supports for school personnel provided for the student to a. advance toward attaining annual goals b. be involved and progress in the general curriculum c. participate in extracurricular and other nonacademic activities	IEP addresses student's need for program modifications or supports for school personnel		
5.5.12 Placement decision and justification	IEP states placement decision and provides justification for placement		
5.5.13 Statement of transition services needs for students beginning no later than age 14 years	a statement of the student's transition service needs included under the applicable components of the IEP that focus on the student's course of study		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.5.14 Statement of needed transition services for students beginning no later than age 16 years (and younger if determined appropriate), including	IEP contains statement of needed transition services		
a. instruction b. related services c. community experiences d. employment and other post-school living objectives	needed transition services are referenced in the present level of educational performance statement and are consistent with IEP goals and objectives or benchmarks		
And, when appropriate:			
a. acquisition of daily living skills b. vocational evaluation c. statement of interagency responsibilities and/or linkages for transition services; or	IEP includes a statement of interagency responsibilities or linkages documentation that other agency(ies) have accepted the student for post-secondary services, when appropriate documentation of other agency's participation and services if they did not attend the IEP meeting, when appropriate district level interagency agreements exit with agencies involved in providing transition services		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
Identification of alternative strategies in revised IEP.	documentation that the district reconvened the IEP team and identified specific alternative strategies when a participating agency failed to provide agreed-upon services		
Consideration of student's preferences and interests	documentation that student's preferences and interests were considered if the student did not attend the IEP meeting		
Statement that student has been notified of transfer of rights at age 18 (at least one year before the student reaches age 18)	Transfer-of-rights statement was provided at least one year before the student reaches age 18		
5.6 **IEPs for Children from Infant/Toddler Programs**			
5.6.1 Participation in transition planning conference at least 90 days (and up to 6 months) before the child's third birthday	records indicate district staff participated in transition planning district-level interagency agreements with local infant learning program district-level interagency agreement with local Head Start program, if appropriate		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.6.2 IEP/IFSP in place by child's third birthday (IFSP may be implemented with agreement of district; district only obligated to implement educational components of IFSP)	IEP date shows that it was in effect on child's 3rd BD or at the beginning of school year, as appropriate		
5.6.3 Parental consent for release of information obtained to access pertinent records from non-educational agencies.	records contain signed consent form for release of information from non-educational agencies		
5.7 **Implementation Timelines**			
5.7.1 IEP is implemented within 30 days of the eligibility determination. (see 5.2.1)	appropriate IEP dates; attendance records		
Determination of eligibility within 45 school days of parental consent for evaluation. (see 3.3)	compare dates on consent and Evaluation Summary and Eligibility Report		
5.7.2 IEP is in effect before services are provided.	date on IEP precedes date of the delivery of any special education or related services		
5.7.3 IEP implemented as soon as possible following the IEP meeting	date on IEP indicating when services will begin is soon after the IEP meeting		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
5.7.4 IEP is in effect at beginning of each school year.	date on review of IEP allows IEP to be in effect when school begins		
5.8 **Copies of IEP**	parents indicate they receive copies of their child's IEP		
5.9 **Review of IEP**			
5.9.1 Progress in achieving objectives.	records show that progress toward achieving goals is monitored periodic reports to parents show progress toward achieving annual goals		
5.9.2 Appropriateness of IEP to current needs.	goals and objectives or benchmarks match needs identified in the present level of educational performance statement		
5.9.3 IEP modified when student is not progressing toward annual goals.	records show that IEPs are modified when the student is not progressing toward annual goals		
6.0 **PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT**			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
6.1 **Parental consent prior to initial placement.**	copy of signed Consent-for-Initial-Placement form is dated prior to any delivery of special education or related services		
6.2 **Placement decision based on an IEP and made after IEP developed.**	records indicate that placement decision is made after the IEP is developed		
6.3 **Placement is determined annually**	IEPs show placement is determined at least annually		
6.4 **Placement decision made by group of persons, including the parent(s), who are knowledgeable about the child, the meaning of the evaluation data and placement options.**	records indicate placement decision is made by IEP team		
6.5 **Placement decision based on a variety of sources (e.g., parent information, achievement data, teacher recommendations, physical condition, social or cultural background, adaptive behavior). Document consideration of information obtained from all sources.**	Evaluation Summary and Eligibility Report documents the information the IEP team considered in making the placement decision.		

	REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
6.6	**Have available a continuum of alternative placements:** a. regular class with supplemental aids and services; b. regular class with direct service from special education personnel; c. regular class with pull-out service from special education personnel; d. self-contained classroom; e. special school; f. home or hospital instruction; or g. instruction in institution.	review of IEPs show there is a continuum of placements available observation of students shows a continuum of placements is available		
6.7	**Documentation exists regarding consideration of the continuum of services (less restrictive services are tried or considered prior to recommending more restrictive services).**	records indicate that placement in the regular classroom has been tried or considered with supplemental aids and services records indicate that interventions have been tried or considered to maintain a student in present setting before moving to a more restrictive setting		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
	records indicate that a complete list of the continuum of possible (not merely available) placements is used in recommending placement records show that, unless it is documented that a student achieves better academically and socially in a more restrictive environment, students are placed in the least restrictive setting		
6.8 **Placement in home school or closest to home.**	records indicate that students attend their home school (i.e., the child would attend if not disabled) if not feasible to provide needed services in home school, document exists that the IEP team considered the feasibility of providing services in home school		
6.9 **Extent of participation in the regular education program and an explanation of the extent, if any, to which the child will not participate with nondisabled children**	IEP states the extent of participation in the regular education program. IEP explains why the student will not be participating with children without disabilities		
6.9.1 Variety of program and service options available including art, music, industrial arts, consumer education, homemaking education, and vocational education. (See 1.3)	student records and/or observation indicate involvement with a variety of educational programs		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
6.10 **Involvement with non-disabled peers.**	student records and/or observation indicate involvement with children without disabilities		
6.10.1 Participation of students with disabilities in nonacademic and extracurricular activities (including meals and recess) with nondisabled students to maximum extent appropriate to needs of the student (See 1.3)	student records and/or observation indicate involvement in nonacademic and extracurricular activities		
6.11 **Consider harmful effect or quality of services in selecting LRE.**	documentation in files that consideration was given to effects of different placement alternatives		
6.12 **Placement decisions not based on the following:** a. category of disability; b. configuration of service delivery system; c. availability of special education or related services; d. availability of space; or e. curriculum content or methods of curriculum delivery.	based on file review, none of these factors are used in justification for placement		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
6.13 **Arrange for appropriate placement by chronological age.**	student records and/or observation show that placements are with age-appropriate peers in academic and extra-curricular courses, activities		
6.14 **Evidence of review of LRE decision at least annually or whenever a change in the IEP is made.**	records show that at each review, the LRE is reconsidered		
6.15 **Placement in private schools, correspondence schools and charter schools (special education and related services are available to disabled children in private and charter schools within district and through the correspondence school in which they are enrolled).**	IEPs available for students with disabilities attending private schools, charter schools, and correspondence schools record of students enrolled in private schools, correspondence schools, and charter schools show that special education services are provided documentation exists to show that contact is made to private schools, charter schools, and correspondence schools to identify children with disabilities who need service cooperative agreement between the district and statewide correspondence study programs for each student in special education		
6.16 **Placement in private school by district (including placement in out-of-state facilities).**			

SECTION 3. MONITORING CHECKLIST

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
a. Child is provided FAPE through special education and related services in conformance with an IEP and due process rights are provided. (Services may be provided on the premises of private schools, including parochial schools.)	IEPs are available for students attending private schools Records indicate that parents are informed of their due process rights		
b. Before referral to or placement in a private school, the district shall conduct an IEP meeting.	records indicate an IEP meeting is held before referral to, or placement in a private school		
c. Ensure representative of private school attends IEP meeting or involved in other ways.	records indicate involvement of private school representative		
d. Meetings involving review and revision of the IEP shall involve parent and a district representative in any agreement involving changes in the IEP.	signature of parent and district representative indicating agreement with any changes on IEP		
e. Responsibility for compliance with Part B rests with district and the SEA.	monitoring report available on private school placements		
f. Special education and related services are provided at no cost to parents.	absence of parental complaints regarding being charged for services		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
g. School or facility meets standards that apply to the district and SEA	absence of violations issued by the Dept. of Environmental Conservation (water, sewer, general sanitation), the State Fire Marshal's Office (fire code compliance), or the Dept. of Transportation and Public Facilities		
6.17 **Placement in private school by other than district but receiving services from district.**	records show current IEP, and compliance with timelines		
a. The district shall initiate, conduct, review and revise IEP for each child.			
b. Ensure representative of private school attends IEP meeting or involve in other ways.	records show participation of private school representative in IEP meetings		
6.18 **Children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled to maximum extent appropriate**	IEP indicates students are participating with children without disabilities to the maximum extent appropriate		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
6.19 **Removal of students with disabilities from the regular education environment occurs only when nature and severity of disability is such that education in regular classes with use of supplementary aids and services cannot be achieved satisfactorily**	justification for placement is documented in the IEP IEP includes an explanation of the extent, if any, to which the child will not participate with nondisabled children in the reg. ed. classroom, extracurricular activities and other nonacademic activities		
7.0 **PROCEDURAL SAFEGUARDS AND CONFIDENTIALITY** It is the responsibility of the district to establish and implement procedural safeguards. (Procedural safeguards and confidentiality involves the parental rights and responsibilities in the acquisition, development, and implementation of special education services for a child with a disability.)	compliance with requirements specified in this section		
7.1 **Prior Written Notice**	records indicate that each time such changes are proposed that a corresponding written notice exists		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
Prior written notice must be given to parents before the district proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of the child (including expulsion) or the provision FAPE to the child.	prior written notice is provided following an IEP meeting that resulted in a change in the IEP		
7.1.1 Contents of Notice:	prior written notice includes these eight components		
a. Description of action proposed or refused;			
b. Explanation of why the district proposed or refused to take action;			
c. Description of other options considered;			
d. Reasons for options being rejected;			
e. Description of each evaluation procedure, test, record or report used in deciding to propose or refuse action;			
f. A description of any other factors which are relevant to the proposal or refusal; and			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
g. A statement that parents have protection under the procedural safeguards and the means to obtain a copy of the description of the safeguards. (Notice of initial evaluation must include a copy of the safeguards.)			
h. Sources for parents to contact to obtain assistance in understanding these provisions			
7.1.2 Communication of Notice			
a. Written in language understandable to the general public.	notice is written in easily understood language without "educational jargon"		
b. Provide written notice in native language of parent, if feasible.	notice is available in languages other than English		
or	or		
c. If native language is not a written language provide an oral notice.	written or taped record of translation is available		
d. Provide notice in other mode of communication for parents with disabilities.	records indicate use of alternative communication methods (e.g., braille notice, interpreter) are available to assure notice is understood by parents		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
e. Insure parent understands content of notice.	parents interviewed report they understood the content of the notice		
7.2 **Consent**			
7.2.1 Consent may not be required except for initial evaluation, reevaluation, and initial placement.	no requirements exist in district procedures requiring consent for other than initial evaluation, initial placement, and reevaluation		
7.3 **Opportunity for Mediation** **(The use of mediation is encouraged whenever a dispute arises during the IEP process.)**	district has a process to inform parents of the availability of mediation district records show mediation has been used to resolve conflicts with parents mediation is included in the parent's rights document		
7.4 **Impartial Due Process Hearings**			
7.4.1 Parental Initiation	district records show letters from parents requesting a hearing documentation that district offered mediation		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
(Parents must file a written notice of request for a hearing to challenge an action or refusal to initiate or change the identification, evaluation or educational placement of a child, or the provision of FAPE.)	documentation that the district notifies the department in writing or by telephone within 10 school days of a hearing request by a parent		
7.4.2 District Initiation A district may initiate a hearing if: a. a parent refuses initial evaluation b. a parent refuses initial placement c. a parent refuses reevaluation d. a parent refuses to give consent to release a record, or e. to show the appropriateness of a district evaluation.	records show written notice provided to parents regarding district's intent to initiate a due process hearing documentation that the district notifies the department in writing or by telephone within 10 school days of initiation of a hearing by the district.		
7.4.3 Notice to Parents of Rights and Procedures for Hearing a. Selection of hearing officer.	records show parents were given an opportunity to choose from an approved and current list of hearing officers compiled by the department		
b. Send notice of time, date and place of hearing at least 10 days before hearing.	copy of notice in records shows notice of hearing sent at least 10 days before the hearing		
c. Hold closed hearing unless parents request open hearing.	records document if open hearing is requested by parents		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
d. Inform parents of hearing rights and responsibilities.	records document that parents received rights information		
e. Inform parents of the following • Burden of proof for proposed action is on the district • Hearing officer writes the decision(s) that is binding • Hearing officer may grant extensions of time at the request of either party • A child shall not be denied initial admission; child remains in current educational placement • Availability of free or low-cost services	information is included in parent's rights notice		
7.4.4 Requirements in Conducting Hearings			
a. Hearing must be recorded.	record of hearing transcript is available		
b. Oral evidence shall be taken only on oath or affirmation.	record in transcript of oath or affirmation		
c. Each party shall disclose evidence at least 5 business days before the hearing.	dates on evidence submitted and beginning of hearing show disclosure was at least 5 business days before the hearing		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
d. The hearing officer shall render a final written decision within 45 days of the request for a hearing (unless a time extension was granted).	date of request for hearing and date on hearing decision show that a final decision was rendered within 45 days		
e. The district shall mail a copy of the decision, within 45 days and after deleting any personally identifiable information, to the department and the Governor's Council on Disabilities and Special Education.	records show copies were sent to the department and the Governor's Council department records contain copies of due process hearing decisions		
f. The district shall provide a copy of the hearing transcript to the parent upon request.	records show parents were provided with hearing transcript when requested		
h. Each hearing must be conducted at a time and place that is reasonably convenient to the parents and the child.	letter or phone log indicates options offered or discussed		
7.4.5 Qualifications of Hearing Officer a. Be at least 18 years of age; b. Have participated in training program developed by the Department of Education; c. Not be employed by a public agency involved with the education or care of the child; d. Have no conflict of interest.	records show that district selected hearing offer from the department's approved list (all of whom meet the stated criteria)		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.4.6 Disqualification of Hearing Officer a. Either party may file an affidavit with hearing officer prior to the taking of evidence stating belief the hearing officer cannot conduct a fair and impartial hearing. b. Hearing officer may voluntarily disqualify herself or himself.	record contains copy of affidavit		
7.4.7 Appeal of Hearing Decision (Either party may appeal the decision of a hearing officer.) a) File notice of appeal with department within 30 days after the decision. b) Notice shall include: • parties to the hearing • a copy of the decision • grounds for appeal	dated copy of notice and date of hearing show that appeal was filed within 30 days of the decision		
7.4.8 Placement of Child During Proceedings	student records show student remained in current educational placement ("stay put")		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
a. Unless parties agree otherwise, child remains in educational placement that preceded proceedings. b. If proceedings concern admission to school the child must, with the consent of the parents, be admitted to school.			
7.5 **Confidentiality of Information** (A district shall permit parents to inspect and review any education records relating to their children that are collected, maintained or used by the district. The district shall comply with a request without unnecessary delay and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation or placement of the child and in no case more than 10 days after the request has been made.)	records indicate district complied with parental requests to review records		
7.5.1 Right to review records Inform parents of right to review educational records which includes:	records indicate parents have been informed of rights to review records		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
a. Right to an explanation from the LEA.			
b. Right to request copies.			
c. Right to have a representative of parent inspect records.			
d. Presumption by district that either parent has authority to review records unless evidence of court order prevails.			
7.5.2 Oversight of Records By One Designated Employee	documentation that district has designated one employee to oversee confidential records		
a. Assign a single employee the duty of protecting personally identifiable information in records.			
b. Provide instructions to employee regarding district responsibility in confidentiality of information.	documentation that employee has received training on the district's responsibility regarding confidentiality of information		
7.5.3 Training of personnel (All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policies and procedures.)	documentation that personnel accessing records have been trained		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
Maintain record of training to include: dates of training • who conducted training • subjects covered • participants	record of training provides this information		
7.5.4 List of employees within district who may have access to records.	record of list of employees who have access to records		
7.5.5 Record of parties obtaining access to records including: a. Name b. Date c. Purpose d. Agency Affiliation	"record of access" forms are completed		
7.5.6 Review information on only one's own child.	records are arranged so that information is available on only one child at a time		
7.5.7 Provide parents a list of types and locations of information maintained.	district has a copy of the types and locations of information that is maintained; this list is provided to parents		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.5.8 District may charge a reasonable fee for copies but may not charge for search or retrieval.	documentation that district charges reasonable copy fees		
7.5.9 Destruction of Information:			
a. Inform parents when collected information is not needed.	documentation that parents are informed prior to destruction of records		
b. Destroy information at request of parents.			
c. Permanent record may be kept of: • student's name • address • phone number • grades • attendance records • classes attended • grade level completed.	district records contain this information		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.5.10 Parental request to amend records (Parents may request records be amended if they feel records violate rights of child.)	documentation of parental requests to amend records		
a. Upon request, district will decide within reasonable time whether to amend records.	documentation of district's decision		
b. If district refuses to amend records, inform parents and advise of right to a hearing.	documentation that written notice was provided to parents		
7.5.11 Hearing procedures The district shall on request provide an opportunity to challenge information in education records.	district informs parents of this right in parent rights notice		
7.5.12 Outcome of hearing	documentation shows that the district complied with the requirements (based on the outcome of the hearing)		
a. If it is decided, as a result of hearing, information is in violation of rights of child it shall amend information and inform parents.			
b. If it is decided, as result of hearing, information is not in violation of rights of child it shall inform the parents.			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
c. When the decision is against the parents, parents are to be given the opportunity to place a statement of disagreement in the record.			
d. Statement of disagreement must be maintained in record and included when affected portions of records are released.			
7.5.13 Parental consent (Parental consent must be obtained before personally identifiable information is disclosed.) a. Notice requesting consent should: • be in plain language • be dated • designate person who will release information • indicate information to be disclosed • designate persons who will receive information • specify purpose for which information will be used • specify expiration date.	copy of dated consent notice contains all required components		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
b. Exceptions to consent: • school officials with legitimate educational interest; • school officials of other schools where student seeks to enroll; • authorized representatives of federal and state education agencies.			
7.6 **Surrogate Parents** Each district shall establish and implement written procedures for: a. the identification of children who are entitled to the appointment of a surrogate parent; b. the appointment of a surrogate parent; and c. the removal of surrogate parents.	district has a Surrogate Parent Plan		
7.6.1 Child Eligibility for Surrogate Parent a. No parent or guardian can be identified b. District cannot, after reasonable effort, locate a parent or legal guardian;	records indicate that district follows the eligibility criteria outlined in Surrogate Parent Plan		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
c. Parent rights have been terminated; d. Parent or legal guardian requests appointment in writing; or e. The child is in the custody of DHSS.			
7.6.2 Qualifications for surrogate parent a. Lacks any conflicts of interest; b. Not employed by district involved in education or care of child (not considered employee of district solely because paid as surrogate);	records indicate that the surrogate parents appointed by the district meet the qualifications outlined in the Surrogate Parent Plan		
c. Has received surrogate parent training; d. Has knowledge and skills to assure adequate representation of the child; e. Preference in selection shall be given to a member of the child's family, or family friend.	record of training of surrogate parents documents that they have met the training program objectives		
7.6.3 Change of educational placement (The educational placement of a child entitled to a surrogate parent shall not be changed until 10 days after the appointment of a surrogate parent.)	records (appointment of surrogate parent, change of placement notice) show that placement is not changed until 10 days after appointment of surrogate parent		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.6.4 Responsibilities of surrogate parent. May represent the child in all matters related to identification, evaluation, educational placement, and provision of FAPE.	responsibilities are outlined in Surrogate Parent Plan		
7.6.5 Removal of Surrogate Parent a. A surrogate parent shall be removed by the district if: • the surrogate parent requests removal • the surrogate parent fails to perform duties; • a conflict of interest arises; • the surrogate parent engages in actions which threaten the well-being of the child; • the surrogate parent becomes unqualified to act as surrogate parent; or • the child's eligibility for a surrogate parent is removed.	reasons for removal are outlined in Surrogate Parent Plan if removal occurs, documentation of reason exists in records if review occurs, a summary of proceedings is available in the records		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
b. Upon request the district shall provide an opportunity for an impartial review of the removal decision.			
7.7 **Complaint Procedure** (Written complaints may be made by any person or organization and are filed with the department. . Complaints must allege violations that occurred not more than one year prior to the date of receipt, unless a longer period is reasonable because the violation is continuing, or the complainant is requesting compensatory services for a violation that occurred not more than three years before the complaint was received.)	district informs parents of this right in parents rights notice		
7.8 **Student Discipline: Removal for 10 or less cumulative school days in a school year** District removes a student with a disability for up to 10 cumulative school days in a school year for any violation of school rules to the extent removal would be applied to children with out disabilities. (District does not need to provide services during these first 10 days.)	Documentation that district followed proper procedures.		

	REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.9	**Student Discipline: Removals for more than 10 Consecutive School Days and No Pattern**	records document that proper procedures were followed		
7.9.1	For students removed for more than 10 days in the same year with subsequent short-term removals that do not constitute a pattern, the following occurs: a. The IEP Team conducts and FBA and creates BIP if none previously done. b. The IEP team reviews the BIP and modifies it as necessary. c. Services are provided on the 11th day to the extent necessary to enable the child to progress in the general curriculum and advance toward achieving his/her IEP goals. d. School personnel, in consultation with the special education teacher, determine the extent to which services are necessary.			
7.10	**Student Discipline: Removals for more than 10 consecutive days or pattern (Change of Placement)**	records document that proper procedures were followed		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.10.1 Parents are notified of the disciplinary action to be taken and informed of their rights no later than the date on which the decision to take the action was made.			
7.10.2 Either before, or within 10 business days of the removal, the IEP team meets to review and modify the BIP or develop a FBA plan, if one had not been conducted.			
7.10.3 The district conducts the FBA and implements the BIP, if needed, as soon as possible.			
7.10.4 The IEP Team, and other qualified personnel, conducts a manifestation determination within 10 school days after the earliest of the following dates: the date on which a decision is made to recommend a change in placement or the date a disciplinary placement actually occurred.			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.10.5 The district provides services if the student is excluded from school for more than 10 consecutive school days in the school year. The IEP team determines the extent of the services needed to enable the student to progress in the general curriculum and advance toward his/her IEP goals			
7.11 **Student Discipline: 45 Day Interim Alternative Educational Setting (IAES)**	records document that proper procedures were followed		
7.11.1 Students with disabilities carrying a weapon or using, possessing, selling, or soliciting illegal drugs at school are placed in an IAES for not more than 45 days			
7.11.2 The IAES meets the following criteria:			
a. is determined by the IEP Team			
b. enables the student to continue to participate in the general education (although in another setting) and to continue to receive services and modifications included in the IEP)			
c. includes services and modifications to address the behavior so it does not recur.			

321

320

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.11.3 The district conducts all change of placement procedures including providing parent notice, BIP review or development, and manifestation determination.			
7.11.4 District requests an expedited hearing to place a student in a 45-day IAES a. as an initial disciplinary action b. to follow a 10-day disciplinary change or c. to follow a 45-day disciplinary change			
7.12 Manifestation Determination	records document that proper procedures were followed		
7.12.1 The IEP Team and other qualified personnel conduct the manifestation determination			
7.12.2 The IEP Team determines behavior was not a manifestation of the student's disability only if it considers: a. evaluation and diagnostic results, including information from the parents b. observations of the student c. the student's IEP and placement			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.12.3 And determines that			
a. in relationship to the behavior subject to discipline, the student's IEP and placement were appropriate, and			
b. special education and related services and behavior intervention strategies were provided consistent with the student's IEP and placement, and			
c. the disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to discipline, and			
d. the disability did not impair the ability of the student to control the behavior subject to disciplinary action			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
7.13 Parent Request for a Hearing	documentation that parents notified of their rights		
7.13.1 Parents who disagree with a determination that the student's behavior was not a manifestation of the student's disability or if the parent disagrees with any decision of the IEP team regarding placement, the parents are informed of their rights to request a due process hearing.	records document that proper procedures were followed		
7.13.2 If hearing officer finds for the parent, the student is not expelled or suspended for more than 10 days.			
7.13.3 If the hearing officer finds for the district, the district uses the same disciplinary procedures, including expulsion, as it uses for any other student except that			
a. Special education services do not cease entirely.			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
b. The IEP team develops an IEP that specifies what special education and related services will be provided during the period of suspension or expulsion. to enable the child to progress in the general curriculum and advance toward achieving his/her IEP goals.			
7.14 **Placement During a Hearing** 7.14.1 If a parent requests a hearing to challenge the IAES or the manifestation determination, the district follows "stay put" requirements consistent with the following: a. "Stay put" for simple change of placements is the placement prior to the removal. b. For a student placed in an IAES, "stay put" is the IAES. The student remains in the IAES until the timeline for that placement expires.	records document that proper procedures were followed		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
c. Upon expiration of the IAES timeline, the student is placed in the setting he or she was in prior to the IAES. However, if school personnel maintained that it was dangerous for the student to return to that placement, the district requests an expedited hearing.			
7.15 **Students Not Eligible for Services** a. Students who violate the code of conduct but are not yet determined eligible for services, but known to be a student with a disability, are protected under the same rights as students with disabilities. b. Documentation that the school had knowledge that the student was a student with a disability	records document that proper procedures were followed		
7.16 **Transfer of Discipline Records** a. When the district initiates disciplinary procedures applicable to all students, the special education and disciplinary records of students with disabilities are transmitted for consideration by the persons making the final determination regarding disciplinary action.	records document that proper procedures were followed		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
b. When a student transfers to a new school and the school record contains information concerning violent or disruptive behavior or disciplinary action, this information is included in the transfer of records to the new school.			
7.16.1 Referral to Law Enforcement and Judicial Authorities			
• Crimes are reported to law enforcement and judicial authorities as appropriate.			
• Copies of special education and disciplinary records are provided to appropriate agencies to the extent permitted by FERPA.	records document that proper procedures were followed		
8.0 **Personnel**	copy of district Personnel Development Plan that identifies district training needs		
(Personnel must be qualified and be involved in a program of ongoing training in line with the Comprehensive System of Personnel Development (CSPD) established by the Department of Education.)			

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
8.1 Personnel Providing Special Education Services Have Met State Requirements			
8.1.1 Teachers	records document that special education teachers have a Type A certificate (regular teaching certificate), with an endorsement in special education		
8.1.2 Related Service Providers	records document that related service providers are licensed and/or certified		
8.1.3 Pre-school Teachers	records document that preschool teachers of preschool children with disabilities have a Type A teaching certificate with an endorsement in preschool special education or a Type A teaching certificate with an endorsement in special education with 6 semester hours in early childhood special education.		
8.1.4 Administrators of Special Education	records document required certification and/or endorsement		
8.1.5 Special Education Paraeducators	records document that paraeducators have received the required 6 hours of training		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
8.1.6 Interpreters for the Deaf	records document that interpreters have the proper certification		
8.2 **Annual Personnel Development Information**	records document the training provided to meet the district's personnel needs		
8.2.1 A description of the training provided.			
8.2.2 Names of persons attending training.			
8.2.3 Name of person providing training.			
8.2.4 Dates of training.			
9.0 **Funding** (Funding involves accessing resources/services required to deliver programs for disabled children.)			
9.1 **Do Not Commingle Federal Funds with State and Local Funds**	district maintains separate accounting process to enable an "audit trail" for expenditure of federal funds		

SECTION 3. MONITORING CHECKLIST

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
9.2 **Federal Funds May only Be Used for Excess Costs** (A district must spend a minimum average amount of funds for the education of each disabled child.)	district meets maintenance of effort as calculated by the department		
9.3 **Use Federal Funds to Supplement Not Supplant State and Local Funds** (Maintenance of Effort)	district meets maintenance of effort as calculated by the department		
	allowance may be made for a. voluntary departure of special education personnel b. decrease in enrollment of children with disabilities c. termination of obligation to provide an exceptionally costly program because a child has 1. left the district 2. has reached the age at which the obligation to provide a program has terminated 3. no longer needs special education 4. termination of costly expenditures for long - term purposes (e.g., equipment)		

REQUIREMENT	COMPLIANCE INDICATOR	YES NO N/A	COMMENTS
9.4 **Federal Funds Used to Make Services Comparable for All Children with Disabilities Within the Agency**	district records document services are comparable for all children with disabilities		
9.4.1 Permissive Use of Funds Federal funds used for special education and related services and supplementary aids and services to a child with a disability may benefit one or more nondisabled children.			
9.5 **Count Children for Federal Funding**	review of attendance records documenting that services were provided by special education service providers confirm the federal count submitted by district		
9.6 **Federal Data Collection on Provision of FAPE, Students Exited, and Suspensions/Expulsions**	district and department records document that the district provides required federal data to the department in a timely manner.		
9.7 **Count Children for State Funding**	review of IEP and attendance records documenting that services were provided by special education service providers confirm the count submitted by the district for intensive funding		

FEDERAL FUNDS FOR STUDENTS WITH DISABILITIES PROGRAM REVIEW QUESTIONNAIRE FOR GRANT FILE

School District ______________________ Date of Review ______________________

Administration and Management	Comments
1. Is there a list of children counted on December 1? Attach a copy of documentation	
2. Does this list verify the most recent child count?	
3. Do all children counted for funding under Section 619 and Title VI-B meet disability eligibility criteria?	
4. Are the children receiving benefits under Section 619 and Title VI-B eligible to receive those services?	
5. Has appropriate use been made of Section 619 and Title VI-B funds?	
6. Are Section 619 and Title VI-B projects being administered as per the project application?	

APPENDIX A

MISCELLANEOUS FORMS

1. Federal Data Forms

- Table 1: Report of Children with Disabilities Receiving Special Education
- Table 3: Implementation of FAPE Requirement
- Table 4: Report of Children with Disabilities Exiting Special Education
- Table 5: Report of Children with Disabilities Removed for Drug or Weapon Offenses

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE I

PAGE 1 OF 6

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ____________________

SECTION A

COUNT DATE:	______ MONTH	______ DAY	______ YEAR

SECTION B

NUMBER OF CHILDREN AGES 3-5 RECEIVING SPECIAL EDUCATION				
AGE AS OF DATA COLLECTION DATE	3	4	5	3-5 (ACTUAL DATA)
ALL DISABILITIES:				
AMERICAN INDIAN OR ALASKA NATIVE				
ASIAN OR PACIFIC ISLANDER				
BLACK OR AFRICAN AMERICAN (NOT HISPANIC)				
HISPANIC				
WHITE (NOT HISPANIC)				

AKDEED FORM # 05-99-007

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE I (Continued)

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ______________________

SECTION C

NUMBER OF CHILDREN AGES 6-21 RECEIVING SPECIAL EDUCATION						
AGE AS OF DATA COLLECTION DATE DISABILITY	6	7	8	9	10	11
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
DEVELOPMENTAL DELAY*						
TOTAL: (Sum of all the above)						

*States must have defined and established eligibility criteria for developmental delay in order to use this category for reporting

347

346

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE I (Continued)

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ____________________

SECTION C (Continued)

NUMBER OF CHILDREN AGES 6-21 RECEIVING SPECIAL EDUCATION						
AGE AS OF DATA COLLECTION DATE DISABILITY	12	13	14	15	16	17
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
DEVELOPMENTAL DELAY*						
TOTAL: (Sum of all the above)						

*States must have defined and established eligibility criteria for developmental delay in order to use this category for reporting

AKDEED FORM # 05-99-007

TABLE I (Continued)

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ____________________

SECTION C (Continued)

NUMBER OF CHILDREN AGES 6-21 RECEIVING SPECIAL EDUCATION							
AGE AS OF DATA COLLECTION DATE DISABILITY	18	19	20	21	6-21 (Actual Data)	22+ (Optional)	6-22+ (Optional)
MENTAL RETARDATION							
HEARING IMPAIRMENTS							
SPEECH OR LANGUAGE IMPAIRMENTS							
VISUAL IMPAIRMENTS							
EMOTIONAL DISTURBANCE							
ORTHOPEDIC IMPAIRMENTS							
OTHER HEALTH IMPAIRMENTS							
SPECIFIC LEARNING DISABILITIES							
DEAF-BLINDNESS							
MULTIPLE DISABILITIES							
AUTISM							
TRAUMATIC BRAIN INJURY							
DEVELOPMENTAL DELAY*							
TOTAL: (Sum of all the above)							

*States must have defined and established eligibility criteria for developmental delay in order to use this category for reporting

AKDEED FORM # 05-99-007

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE I (Continued)

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ____________________

SECTION D

RACE/ETHNICITY DISABILITY	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN OR PACIFIC ISLANDER	BLACK OR AFRICAN AMERICAN (NOT HISPANIC)	HISPANIC OR LATINO	WHITE (NOT HISPANIC)	TOTAL
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
DEVELOPMENTAL DELAY*						
TOTAL (Sum of all the above)						

*States must have defined and established eligibility criteria for developmental delay in order to use this category for reporting

AKDEED FORM # 05-99-007

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE I (Continued)

PAGE 6 OF 6

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

As of December 1 or the last Friday in October

DUE DATE: 12/15/99

District: ____________________

SECTION E - CERTIFICATION

I CERTIFY that these data represent an accurate and unduplicated count of children with disabilities receiving special education and related services on either December 1 or the last Friday in October, according to an individualized Education Program.

AUTHORIZING OFFICIAL

NAME AND TITLE (TYPE OR PRINT)	SIGNATURE	DATE OF SIGNATURE

No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by 20 U.S.C. 1411(d)(1); 1418(a)(1)(A)(I); 1402

AKDEED FORM # 05-99-007

TABLE 3

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ______________________

SECTION A: EDUCATIONAL PLACEMENT OF CHILDREN WITH DISABILITIES AGES 3-5

EDUCATIONAL PLACEMENT:	AGE			
	3	4	5	TOTAL
(A) EARLY CHILDHOOD SETTING				0
(B) EARLY CHILDHOOD SPECIAL EDUCATION SETTING				0
(C) HOME				0
(D) PART-TIME EARLY CHILDHOOD/PART-TIME EARLY CHILDHOOD SPECIAL EDUCATION SETTING				0
(E) RESIDENTIAL FACILITY				0
(F) SEPARATE SCHOOL				0
(G) ITINERANT SERVICE OUTSIDE THE HOME (OPTIONAL)				0
(H) REVERSE MAINSTREAM SETTING (OPTIONAL)				0
(I) TOTAL	0	0	0	0

The order of the categories does not reflect a continuum from least to most restrictive. The categories are alphabetized, with the exception of the two optional categories, which are listed at the end.

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ____________________

SECTION B EDUCATIONAL PLACEMENT OF CHILDREN WITH DISABILITIES AGES 6/21

EDUCATIONAL PLACEMENT:	(A) CHILDREN WHO RECEIVED SPECIAL EDUCATION OUTSIDE THE REGULAR CLASS LESS THAN 21 PERCENT OF DAY BY AGE CATEGORY			(B) CHILDREN WHO RECEIVED SPECIAL EDUCATION OUTSIDE THE REGULAR CLASS AT LEAST 21 PERCENT OF DAY BUT NO MORE THAN 60 PERCENT OF DAY BY AGE CATEGORY		
DISABILITY	(1) 6-11	(2) 12-17	(3) 18-21	(4) 6-11	(5) 12-17	(6) 18-21
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
TOTAL	0	0	0	0	0	0

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ______________________

SECTION B (Continued)

EDUCATIONAL PLACEMENT:	(C) CHILDREN WHO RECEIVED SPECIAL EDUCATION OUTSIDE REGULAR CLASS FOR MORE THAN 60 PERCENT OF DAY BY AGE CATEGORY			(D) CHILDREN WHO RECEIVED SPECIAL EDUCATION IN PUBLIC SEPARATE FACILITY BY AGE CATEGORY		
DISABILITY	(7) 6-11	(8) 12-17	(9) 18-21	(10) 6-11	(11) 12-17	(12) 18-21
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
TOTAL	0	0	0	0	0	0

AKDEED FORM # 05-99-008

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ______________________

SECTION B (Continued)

EDUCATIONAL PLACEMENT:	(E) CHILDREN WHO RECEIVED SPECIAL EDUCATION IN PRIVATE SEPARATE FACILITY BY AGE CATEGORY			(F) CHILDREN WHO RECEIVED SPECIAL EDUCATION IN PUBLIC RESIDENTIAL FACILITY BY AGE CATEGORY		
DISABILITY	(13) 6-11	(14) 12-17	(15) 18-21	(16) 6-11	(17) 12-17	(18) 18-21
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
TOTAL	0	0	0	0	0	0

AKDEED FORM # 05-99-008

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ____________________

SECTION B (Continued)

EDUCATIONAL PLACEMENT:	(G) CHILDREN WHO RECEIVED SPECIAL EDUCATION IN PRIVATE RESIDENTIAL FACILITY BY AGE CATEGORY			(H) CHILDREN WHO RECEIVED SPECIAL EDUCATION IN HOMEBOUND/HOSPITAL PLACEMENT BY AGE CATEGORY		
DISABILITY	(19) 6-11	(20) 12-17	(21) 18-21	(22) 6-11	(23) 12-17	(24) 18-21
MENTAL RETARDATION						
HEARING IMPAIRMENTS						
SPEECH OR LANGUAGE IMPAIRMENTS						
VISUAL IMPAIRMENTS						
EMOTIONAL DISTURBANCE						
ORTHOPEDIC IMPAIRMENTS						
OTHER HEALTH IMPAIRMENTS						
SPECIFIC LEARNING DISABILITIES						
DEAF-BLINDNESS						
MULTIPLE DISABILITIES						
AUTISM						
TRAUMATIC BRAIN INJURY						
TOTAL	0	0	0	0	0	0

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ____________________

SECTION C: *DUPLICATED COUNT* OF CHILDREN WITH DISABILITIES SERVED IN CORRECTIONAL FACILITIES

EDUCATIONAL PLACEMENT	CHILDREN WHO RECEIVED SPECIAL EDUCATION IN CORRECTIONAL FACILITIES
DISABILITY	THROUGH AGE 21
MENTAL RETARDATION	
HEARING IMPAIRMENTS	
SPEECH OR LANGUAGE IMPAIRMENTS	
VISUAL IMPAIRMENTS	
SERIOUS EMOTIONAL DISTURBANCE	
ORTHOPEDIC IMPAIRMENTS	
OTHER HEALTH IMPAIRMENTS	
SPECIFIC LEARNING DISABILITIES	
DEAF-BLINDNESS	
MULTIPLE DISABILITIES	
AUTISM	
TRAUMATIC BRAIN INJURY	
DEVELOPMENTAL DELAY*	
TOTAL	0

SECTION D: *DUPLICATED COUNT* OF CHILDREN WITH DISABILITIES ENROLLED IN PRIVATE SCHOOLS NOT PLACED OR REFERRED BY PUBLIC AGENCIES

CHILDREN WITH DISABILITIES ENROLLED IN PRIVATE SCHOOLS NOT PLACED OR REFERRED BY PUBLIC AGENCIES
AGES 3-21
TOTAL:

* States must have defined and established eligibility criteria for developmental delay in order to use this categ

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ____________________

SECTION E: RACE/ETHNICITY OF CHILDREN WITH DISABILITIES AGES 3-5 BY EDUCATIONAL ENVIRONMENT

	RACE/ETHNICITY					
EDUCATIONAL PLACEMENT:	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN OR PACIFIC ISLANDER	BLACK OR AFRICAN AMERICAN (Not Hispanic)	HISPANIC OR LATINO	WHITE (Not Hispanic)	TOTAL
(A) EARLY CHILDHOOD SETTING						0
(B) EARLY CHILDHOOD SPECIAL EDUCATION SETTING						0
(C) HOME						0
(D) PART-TIME EARLY CHILDHOOD/PART-TIME EARLY CHILDHOOD SPECIAL EDUCATION SETTING						0
(E) RESIDENTIAL FACILITY						0
(F) SEPARATE SCHOOL						0
(G) ITINERANT SERVICE OUTSIDE THE HOME (OPTIONAL)						0
(H) REVERSE MAINSTREAM SETTING (OPTIONAL)						0
(I) TOTAL	0	0	0	0	0	0

The order of the categories does not reflect a continuum from least to most restrictive. The categories are alphabetized, with the exception of the two optional categories, which are listed at the end.

TABLE 3 (Continued)

PART B, INDIVIDUALS WITH DISABILITIES EDUCATION ACT
IMPLEMENTATION OF FAPE REQUIREMENT

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

District: ____________________

SECTION F: RACE/ETHNICITY OF CHILDREN WITH DISABILITIES AGES 6-21 BY EDUCATIONAL ENVIRONMENT

	RACE/ETHNICITY					
EDUCATIONAL ENVIRONMENT	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN OR PACIFIC ISLANDER	BLACK OR AFRICAN AMERICAN (Not Hispanic)	HISPANIC OR LATINO	WHITE (Not Hispanic)	TOTAL
(A) SPECIAL EDUCATION OUTSIDE REGULAR CLASS LESS THAN 21% OF DAY						0
(B) SPECIAL EDUCATION OUTSIDE REGULAR CLASS AT LEAST 21% OF DAY AND NO MORE THAN 60% OF DAY						0
(C) SPECIAL EDUCATION OUTSIDE REGULAR CLASS MORE THAN 60% OF DAY						0
(D) PUBLIC SEPARATE SCHOOL FACILITY						0
(E) PRIVATE SEPARATE SCHOOL FACILITY						0
(F) PUBLIC RESIDENTIAL FACILITY						0
(G) PRIVATE RESIDENTIAL FACILITY						0
(H) HOMEBOUND/HOSPITAL						0
(I)TOTAL (OF ROWS A-H):	0	0	0	0	0	0

SECTION G: RACE/ETHNICITY OF CHILDREN WITH DISABILITIES REPORTED IN SECTIONS C & D

CORRECTIONAL FACILITIES						0
CHILDREN WITH DISABILITIES ENROLLED IN PRIVATE SCHOOLS NOT PLACED OR REFERRED BY PUBLIC AGENCIES						0

TABLE 4

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section A

	DISABILITY/AGE																			
	MENTAL RETARDATION										HEARING IMPAIRMENTS									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

AKDEED FORM # 05-99-009

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section A (Continued)

	DISABILITY/AGE																			
	SPEECH OR LANGUAGE IMPAIRMENTS										VISUAL IMPAIRMENTS									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

AK DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

PAGE 3 OF 8

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section A (Continued)

	DISABILITY/AGE																			
	EMOTIONAL DISTURBANCE										ORTHOPEDIC IMPAIRMENTS									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

AKDEED FORM # 05-99-009

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section A (Continued)

	DISABILITY/AGE																			
	OTHER HEALTH IMPAIRMENTS										SPECIFIC LEARNING DISABILITIES									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section A (Continued)

	DISABILITY/AGE																			
	DEAF-BLINDNESS										MULTIPLE DISABILITIES									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT ____________________

Section A (Continued)

	DISABILITY/AGE																			
	AUTISM										TRAUMATIC BRAIN INJURY									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0										0
(C) RECEIVED A CERTIFICATE										0										0
(D) REACHED MAXIMUM AGE										0										0
(E) DIED										0										0
(F) MOVED, KNOWN TO BE CONTINUING										0										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0										0
(H) DROPPED OUT										0										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT ____________

Section B

	DISABILITY/AGE									
	ALL DISABILITIES									
BASIS OF EXIT	14	15	16	17	18	19	20	21	22+	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION										0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA										0
(C) RECEIVED A CERTIFICATE										0
(D) REACHED MAXIMUM AGE										0
(E) DIED										0
(F) MOVED, KNOWN TO BE CONTINUING										0
(G) MOVED, NOT KNOWN TO BE CONTINUING										0
(H) DROPPED OUT										0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0	0	0	0	0

TABLE 4 (Continued)

REPORT OF CHILDREN WITH DISABILITIES EXITING
SPECIAL EDUCATION DURING THE 1998-99 SCHOOL YEAR

1999-00 SCHOOL YEAR

DUE DATE: 7/15/00

DISTRICT: ____________________

Section C

	NUMBER OF STUDENTS AGES 14-21 EXITING SPECIAL EDUCATION BY RACE/ETHNICITY					
RACE/ETHNICITY BASIS OF EXIT	AMERICAN INDIAN OR ALASKA NATIVE	ASIAN OR PACIFIC ISLANDER	BLACK OR AFRICAN AMERICAN	HISPANIC OR LATINO	WHITE	TOTAL
(A) NO LONGER RECEIVES SPECIAL EDUCATION						0
(B) GRADUATION WITH REGULAR HIGH SCHOOL DIPLOMA						0
(C) RECEIVED A CERTIFICATE						0
(D) REACHED MAXIMUM AGE						0
(E) DIED						0
(F) MOVED, KNOWN TO BE CONTINUING						0
(G) MOVED, NOT KNOWN TO BE CONTINUING						0
(H) DROPPED OUT						0
(I) TOTAL (OF ROWS A-H)	0	0	0	0	0	0

AKDEED FORM # 05-99-009

TABLE 5

REPORT OF CHILDREN WITH DISABILITIES RECEIVING SPECIAL EDUCATION
PART B. INDIVIDUALS WITH DISABILITIES EDUCATION ACT, AS AMENDED

DUE DATE: 7/15/00

District: ______________

SECTION A

REPORT OF CHILDREN WITH DISABILITIES SUBJECT TO UNILATERAL REMOVAL FOR DRUG OR WEAPON OFFENSES, REMOVAL BASED ON A HEARING OFFICER DETERMINATION REGARDING LIKELY INJURY, OR LONG-TERM SUSPENSION/EXPULSION: SCHOOL YEAR 1999-00

Disability	1. Number of Children Subject to Unilateral Removal by School Personnel Following a Drug or Weapon Offense (Rows 1-14 REQUIRED)	2. Number of Children Subject to Removal Based on a Hearing Officer Determination Regarding Likely Injury (Rows 1-14 REQUIRED)	3. Number of Children Subject to Other Long-Term Suspension/Expulsion		4. Undupticated Count of Children Subject to Unilateral Removal for Drug or Weapon Offenses and/or Removal by Hearing Officer Determination Regarding Likely Injury and/or Long-Term Suspension/Expulsion (Rows 1-14 REQUIRED)
			A. Number of Children Subject to Suspension/ Expulsion > 10 days **(Rows 1-13 OPTIONAL)** (Row 14 REQUIRED)	B. Number of Children Subject to Multiple Short-Term Suspensions Summing to > 10 Days **(Rows 1-14 OPTIONAL)**	
1 Mental Retardation					
2 Hearing Impairments					
3 Speech/Language Impairments					
4 Visual Impairments					
5 Emotional Disturbance					
6 Orthopedic Impairments					
7 Other Health Impairments					
8 Specific Learning Disabilities					
9 Deaf-Blindness					
10 Multiple Disabilities					
11 Autism					
12 Traumatic Brain Injury					
14 Total	0	0	0	0	0

TABLE 5 (Continued)

DUE DATE: 7/15/00

District: ____________

SECTION A (Continued)

REPORT OF CHILDREN WITH DISABILITIES SUBJECT TO UNILATERAL REMOVAL FOR DRUG OR WEAPON OFFENSES, REMOVAL BASED ON A HEARING OFFICER DETERMINATION REGARDING LIKELY INJURY, OR LONG-TERM SUSPENSION/EXPULSION:

SCHOOL YEAR 1999-00

	5. Number of Acts Precipitating Unilateral Removal by School Personnel		6. Number of Acts Precipitating Hearing Officer Regarding Likely Injury **(Rows 1-13 OPTIONAL)** (Row 14 REQUIRED)
Disability	A. Weapon Offenses **(Rows 1-13 OPTIONAL)** (Row 14 REQUIRED)	B. Drug Offenses **(Rows 1-13 OPTIONAL)** (Row 14 REQUIRED)	
1 Mental Retardation			
2 Hearing Impairments			
3 Speech/Language Impairments			
4 Visual Impairments			
5 Emotional Disturbance			
6 Orthopedic Impairments			
7 Other Health Impairments			
8 Specific Learning Disabilities			
9 Deaf-Blindness			
10 Multiple Disabilities			
11 Autism			
12 Traumatic Brain Injury			
14 Total	0	0	0

TABLE 5 (Continued)

DUE DATE: 7/15/00

District: ______________

SECTION B

REPORT OF CHILDREN WITH DISABILITIES SUBJECT TO UNILATERAL REMOVAL FOR DRUG OR WEAPON OFFENSES, REMOVAL BASED ON A HEARING OFFICER DETERMINATION REGARDING LIKELY INJURY, OR LONG-TERM SUSPENSION/EXPULSION: SCHOOL YEAR 1999-00

Race/Ethnicity	1. Number of Children Subject to Unilateral Removal by School Personnel Following a Drug or Weapon Offense (Rows 1-6 REQUIRED)	2. Number of Children Subject to Removal Based on a Hearing Officer Determination Regarding Likely Injury (Rows 1-6 REQUIRED)	3. Number of Children Subject to Other Long-Term Suspension/Expulsion		4. Unduplicated Count of Children Subject to Unilateral Removal for Drug or Weapon Offenses and/or Removal by Hearing Officer Determination Regarding Likely Injury and/or Long-Term Suspension/Expulsion (Rows 1-6 REQUIRED)
			A. Number of Children Subject to Suspension/ Expulsion > 10 days **(Rows 1-5 OPTIONAL)** (Row 6 REQUIRED)	B. Number of Children Subject to Multiple Short-Term Suspensions Summing to > 10 Days **(Rows 1-6 OPTIONAL)**	
1. White, non-Hispanic					
2. Black, non-Hispanic					
3. Hispanic					
4. Asian/Pacific Islander					
5. Native American					
6. Total	0	0	0	0	0

TABLE 5 (Continued)

DUE DATE: 7/15/00

District: ________________

SECTION B (Continued)

REPORT OF CHILDREN WITH DISABILITIES SUBJECT TO UNILATERAL REMOVAL FOR DRUG OR WEAPON OFFENSES, REMOVAL BASED ON A HEARING OFFICER DETERMINATION REGARDING LIKELY INJURY, OR LONG-TERM SUSPENSION/EXPULSION

SCHOOL YEAR 1999-00

Race/Ethnicity	5. Number of Acts Precipitating Unilateral Removal by School Personnel		6. Number of Acts Precipitating Hearing Officer Regarding Likely Injury **(Rows 1-5 OPTIONAL)** (Row 6 REQUIRED)
	A. Weapon Offenses **(Rows 1-5 OPTIONAL)** (Row 6 REQUIRED)	B. Drug Offenses **(Rows 1-5 OPTIONAL)** (Row 6 REQUIRED)	
1 White, non-Hispanic			
2 Black, non-Hispanic			
3 Hispanic			
4 Asian/Pacific Islander			
5 Native American			
6 Total	0	0	0

AKDEED FORM # 05-99-010

APPENDIX B

CHILD IDENTIFICATION FORMS

1. Model Child Find Plan
2. Annual Child Find Training Outline
3. Sample List of Community Agencies
4. Sample Child Find Initiative Letter
5. Referral Form

MODEL CHILD FIND PLAN

I. Introduction

Federal and state laws and regulations require that ____________________ Public Schools make available a free appropriate public education (FAPE) to all **school age** residents of the district. Some students, with physical, mental or emotional impairments may need special education in order to benefit from the educational program offered by the district.

The procedures in this model plan are provided so that the district staff will take appropriate steps to make certain that any students in need of special services are identified and referred for the development of appropriate programs to meet their educational needs.

The authority for these procedures is found in state law and through adoption of these procedures by the Superintendent. These procedures are binding on all staff and must be adhered to.

II. Legal Obligations

Federal and State laws require that the school district:

> "... have in effect policies and procedures to ensure that all children residing in the State, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated, and a practical method is developed and implemented to determine which children are currently receiving needed special education and related services." (34 C.F.R. 300.125)

These requirements apply to :

A. Children enrolled in public schools, including charter schools and correspondence programs; private or parochial schools; and educational programs in correctional facilities.

B. Highly mobile children with disabilities (such as migrant and homeless children).

C. Children who are suspected of being a child with a disability and in need of special education, even though they are advancing from grade to grade.

Alaska Statutes that influence Child Find activities are listed below:

14.03.070	School Age	Six years of age before August 15 preceding the beginning of the school year and who is under the age of 20 and has not completed the 12th grade.
14.30.010	Compulsory Attendance	Seven to Sixteen years of age
14.30.180	Purpose	Appropriate public education: three through twenty-one years of age.
14.30.186	Coverage	Provide special education and related services.

III. Overview

In order to fulfill these obligations, the district special education director/coordinator annually supervises the conduct of the following activities:

A. Public Awareness
B. Screening
C. Referrals

In addition to these areas, these procedures include steps to be taken to ensure that each student receives required procedural safeguards to make certain that the student's rights to privacy and education are protected.

IV. Procedures

A. Public Awareness (Annual Public Notice)

Each year the District conducts activities for creating public awareness of special education programs, for advising the public of the rights of children, and alerting community residents of the need to identify and serve children birth through twenty one (21). These activities are the responsibility of the Child Find Coordinator and include the following:

1. Establish and maintain communication with staff, organizations, agencies, and individuals to ensure that all activities are carried out in a manner consistent with all state and federal requirements.

2. Annually develop a training schedule to conduct in-service training for staff, organizations, agencies, and individuals to ensure that annual public notice, and screening activities are carried out (see Annual Child Find Training Outline).

3. By November 1 of each year the Child Find Coordinator: (a) develops articles and announcements for the local newspaper or community bulletin and may, (b) arrange for radio messages, and (c) arrange for television appearances or announcements. Messages and announcements include:

    a. The types of disabilities that qualify as a disabling condition.
    b. The educational needs of children with disabilities.
    c. The rights of children with disabilities (FAPE).
    d. The services available to children with disabilities.
    e. Confidentiality protections.
    f. Who to contact (e.g., Child Find Coordinator) and how to get in touch with that person.

4. Alert members of the community who may not easily understand English or who may live in rural or isolated geographic areas, by attending and making presentations at community meetings, business group meetings, church sponsored meetings, and meetings of public employees and officials.

    a. Develop and maintain a current list of agencies that provide services to children with disabilities within the community (see Sample List of Community Agencies in Addendum).
    b. Disseminate Child Find informational of materials to hospitals, clinics, pediatricians, pediatric nurses, and social

service professionals involved in family or child services (see Sample Child Find Initiative Letter in this appendix).

5. Develop and revise all Child Find materials.

6. Ensure that all school age children identified through Child Find activities, except those identified through screening, are reviewed by the Child Find Coordinator and referred for appropriate services.

7. Collect, maintain, and report current and accurate data on all Child Find activities.

8. Prepare data to assist in planning for the delivery of services to students and the general improvement of the educational program.

B. Screening

1. Birth through Two

Screening for children from birth through age two is the responsibility of the Department of Health and Social Services (DHSS). It is the responsibility of the Child Find Coordinator to communicate with local infant learning programs to coordinate screening activities and ensure that services are in place by the child's third birthday.

2. Three through Five

Screening is a district-wide activity done in cooperation with parents and non-public school agencies to identify children who may need further evaluation. The result of the screening process is a systematic collection of information for every child screened that helps determine whether there is need for referral and an evaluation. Screening includes general health, vision, hearing, general development, primary language, and culture and daily living skills.

To adequately find preschool-aged children who may be in need of special education services, community outreach becomes especially important to the Child Find process. Special efforts beyond routine annual public notice will be required to reach the parents and caretakers of children below kindergarten age as these children typically are not enrolled in public school programs in most Alaskan communities. It is recommended that these efforts include providing notice of the availability of special education services for children below school age directly to physicians (especially pediatricians and family practitioners), community health aides, public health nurses, community child care programs (including Head Start programs, other preschools, and day care programs), Infant Learning Programs, and any other agencies serving young children or their families. The information provided should include specific steps from the school district special education program for screening.

Preschool screening may take a variety of forms. It may consist of a parent interview and brief observation of the child, from which enough information is gathered about the child to decide whether to proceed with the special education referral process. Special education staff may use the results of a standardized parent questionnaire to determine if the child's performance, as reported by the parent, is significantly below average in any particular developmental area and warrants referral for assessment. Or staff may choose to administer an individual screening tool directly to the child in addition to gathering information from the parent and observing the child informally.

In some communities, "mass screening" has become an efficient means of Child Find and referral. Parents of preschool-aged children are invited to bring their children in for screening on a particular day or days, and children are screened by a team of special education staff and trained paraprofessionals. The team may use a standardized developmental screening tool designed for group screening or they may use several different measures. If decisions about children are to be made on the basis of standard scores from norm-referenced tests, caution must be used when the norm group on which the test was standardized differs in important ways from the cultural or social group of which the child is a member. Many communities in Alaska have chosen to develop their own more locally appropriate decision rules in interpreting screening results.

Children whose screening results are questionable should be given an opportunity for re-screening at a later date. Screening results should never be substituted for a comprehensive assessment in making diagnostic or placement decisions.

The screening process for preschool aged children usually requires procedures that are different from those used to screen school-aged children for possible disabilities. For instance, a 3-year-old child may be unable to understand the directions typically given in screening vision or hearing, and special techniques are required. Play audiometry (hearing tests in which children are taught to respond to sounds not by raising their hands, but by making a playful response) may be necessary to obtain accurate hearing results with young children. Modified Snellen charts, in which children identify objects rather than letters or the direction in which E is pointing, are usually most appropriate with this age group.

General developmental screening is typically needed to adequately address all important aspects of a preschool child's functioning. "Readiness" tests or tests that screen children only on the basis of "pre-academic" skills are not appropriate for developmental screening of preschool children. In choosing a screening tool or tools, as with all types of evaluation procedures, we must make sure that the material or procedure is appropriate for the ages of the children to be screened, that it covers the developmental areas to be screened, and that the tool is reliable and valid. Another factor to consider in choosing a tool is the type of training required to teach people to administer it accurately.

3. Six through Twenty-One

Screening is a district wide activity to identify children in the general school population who may need further evaluation. The result of the screening process is a systematic collection of information for every child screened that helps determine whether there is a need for a referral for assessment.

Screening includes general health, vision, hearing, general basic skills, primary language and culture and daily living skills in the home and community obtained through parental input. Screening results should never be substituted for a comprehensive assessment in making diagnostic or placement decisions.

C. Referrals

1. Referrals may come directly from parents or other family members, from friends, private schools or various community agencies. Infant Learning Programs are required to refer eligible children at least 60 days prior to their third birthday. Once a district screens for the appropriateness of the referral the goal is to have an eligible preschooler with disabilities evaluated, IEP written and receiving services on the third birthday. Referrals may also be stimulated by the annual public notice, come from teachers or other school personnel, or come as a result of a screening program.

2. All referrals should be made on a standard referral form (see Referral Form in Addendum).

3. Upon receipt of a referral, the principal or Child Find Coordinator reviews the child's record and consults with the teacher and/or parent. If the child exhibits learning or developmental difficulties, the child will be scheduled for an evaluation.

4 If the child exhibits no learning or developmental difficulties the parents are provided with written notice within five days of the decision not to refer for evaluation

ANNUAL CHILD FIND TRAINING OUTLINE*

Topics:

Purpose of Child Find Activities

What is a "Child with a Disability"?
- Criteria for Eligibility
- Pre-School Students
- Infants and Toddlers

How are Children Identified?
- Who Can Refer?
- How is a Referral Made?
- School Based Reviews.
- What is Screening?

What Rights do "Children with Disabilities" Have?
- Confidentiality Rights
- Family Education Rights Privacy Act (FERPA)
- Section 504
- State and Federal Safeguards

Presenters:

Director of Special Education
Child Find Coordinator
Principals
Screening Staff (speech, therapist, audiologist, vision specialist)

Materials:

Referral Forms
Copy of Child Find Procedures
State Regulations

* Provided as part of annual district wide in-service.

SAMPLE

LIST OF COMMUNITY AGENCIES

Rotary Club

Chamber of Commerce

PTA

Red Cross

Community Mental Health

Pediatricians

Nurses

Social Workers

Preschools and Nurseries

Local Chapters of:

- Easter Seals
- Speech and Language Pathologists
- Council for Exceptional Children

Private Schools

Universities and College Education Staff

SAMPLE

CHILD FIND INITIATIVES

To: ______________________________

____

____

From: (Special Ed. Director) ______________________

Re: Child Find ______________________

Our annual Child Find activities are once again upon us. As we all prepare for school this year, let's take time to make sure we help children get the services they need.

We are asking your organization to inform your members about our efforts to identify and assist children who may need special education this year. If you or your colleagues know of such a child, please let us know by calling:

Phone Number: ______________________

You can also use the enclosed Referral Form. We are also willing to come and speak to your group at your convenience about our programs and our Child Find activities.

Thank you for your efforts in assisting us to provide education to all of our youngsters. Any information you provide regarding a child will be confidential as required by State and Federal law.

Sincerely,

REFERRAL FORM

Name of Child: ____________________ Date of Referral: __________

Referred by: ____________________ Grade: __________

Age: __________ Birthdate: __________ Gender: __________

School: ____________________ Teacher: ____________________

Parent/Guardian: ____________________ Work Phone: __________

Address: ____________________ Home Phone: __________

REASON FOR REFERRAL - Noticeable delays or problems in:

- ☐ 1. motor skills
- ☐ 2. health
- ☐ 3. hearing
- ☐ 4. vision
- ☐ 5. speech/language
- ☐ 6. behavior
- ☐ 7. following directions
- ☐ 8. reading
- ☐ 9. writing
- ☐ 10. math
- ☐ 11. other (please describe

____

____

____

SUMMARY OF EXISTING INFORMATION:

Prior Special Education Referrals: Yes ______ No ______ Dates ____________________

Prior Assessments:

☐ Psychological - date ______ ☐ Educational - date ______ ☐ Physical/medical -date ______

Attendance: ____________________ days absent this school year

Previous Attempts to Deal with Identified Problems:

Classroom Interventions:

Enrollment in Other Programs:

- ______ Speech/Lang
- ______ Chapter I
- ______ Indian Ed
- ______ Gifted
- ______ Remedial Reading
- ______ Bilingual
- ______ Psy/Counseling
- ______ Sp. Education
- ______ Other

Linguistic Background:

Primary Language of Home ____________________ Alaska Language Category ____________________

Screening Information:

Health Screening (Attach developmental history, if appropriate)

	BOTH	RIGHT	LEFT
Vision Date ______	wo 20/ w 20/	wo 20/ w 20/	wo 20/ w 20/

Hearing Date ______ ______ A/C ______ B/C

	250	500	1000	2000	4000	8000
R						
L						

Specific Health Concerns: ____________________

____

____

Nurse's Signature ____________________ Date __________

Other Screening Results:

Referring Person's Signature ____________________ **Date** __________

APPENDIX C

EVALUATION, ELIGIBILITY FORMS

1. Consent for Evaluation Form
2. Authorization to Obtain Information Form
3. Evaluation Summary and Eligibility Report
4. Alaska Language Categories

Consent for Evaluation

Dear ______________________________ Date ______________________________

The district is asking for your consent to conduct an evaluation or reevaluation of your child ____________________

We believe this will help us better meet your child's educational needs. All results will be shared with you and you will be invited to participate in a meeting to determine eligibility for special education services when the testing is complete.

We would like to conduct this evaluation because:

____

The following marked areas may be evaluated. A brief explanation of each evaluation area is attached.

- _X_ Parent Information and Observations
- ___ Intellectual Ability
- ___ Social/Emotional Behavior
- ___ Academic Achievement
- ___ Communication (Speech/Language)
- ___ Hearing
- ___ Vision
- ___ Adaptive Behavior
- ___ Classroom Observation
- ___ Physical/Occupational Therapy Assessments
- ___ Vocational Interests/Aptitude
- ___ Developmental/Medical History
- ___ Fine and Gross Motor Development
- ___ Assistive Technology
- ___ Other ______________________________

The following evaluations, tests, records or reports will be used as a basis for the evaluation:

____

Other factors, if any which are relevant to the proposed evaluation are: (for example, interpreter, observations, etc.)

____

Your involvement in the evaluation process is very important. Someone from the school will be contacting you regarding your observations of your child. Please provide your school team with any information you would like considered in the evaluation. If you have suggestions or questions, please contact:

Name ____________________ Position ____________________ Phone ____________________

☐ This request is for an initial evaluation. The district will not proceed without your written consent.

☐ This request is for a reevaluation. If you fail to respond to the district's attempts to obtain consent, the district may proceed.

After reviewing your rights, please check the appropriate box below, sign the form and return it to your child's school as soon as possible. A copy of your rights is enclosed with this form. For assistance in understanding your rights, feel free to call me or refer to the enclosed Parent Rights Statement for sources of information on your rights.

Sincerely,

(Name, Position)*

*The district representative signature above verifies that parents who require notice and an explanation of their rights in their language have been accommodated to ensure their understanding.

___ I understand my rights and give consent to conduct this evaluation ___ I deny consent to conduct this evaluation.

Parent Signature ______________________________ Date: ____________________

For District use only

Date consent received by district ____________________ By Whom ____________________

Descriptions of Tests and Procedures

Information provided by you	We encourage and welcome your input and information.
Intellectual Ability	Assesses your child's ability to learn. Administered by a trained professional in a one-to-one setting.
Social/Emotional Behavior	Collects information about,your child's social and emotional development. May include rating scales, personality inventories, behavioral observations, projective tests, and personal interviews.
Academic achievement	Measures your child's achievements in such areas as listening comprehension, oral and reading comprehension, math calculation and reasoning, and written language.
Speech	Assesses your child's articulation (speech sounds), voice, fluency, and motor skills for speech.
Language	Assesses your child's receptive and expressive language skills, including phonology, morphology, syntax, semantics, and pragmatics.
Hearing	Screens your child for hearing acuity. Includes pure tone testing and impedance testing of middle ear functioning.
Vision	Screens your child for visual acuity.
Adaptive behavior	Assesses your child's independent functioning at home, at school, and in the community.
Classroom observation	Assesses your child's performance and behavior in a classroom setting. Conducted by someone other than your child's classroom teacher.
Physical therapy assessment	Assesses your child's gross motor skills and abilities for general or specific activities.
Occupational therapy assessment	Assesses your child's fine motor skills and abilities for general or specific activities.
Vocational interest/Aptitude	Assesses interests and capabilities for different types of work.
Developmental/Medical history	Collects information about your child's developmental progress or medical history.
Fine and gross motor development	Assesses your child's motor skills and abilities.
Assistive technology	Assessment for the need of a piece of equipment or a product that is used to increase, maintain, or improve the functional abilities for your child.
Other: (describe)	May be suggested by the IEP team to ensure that your child is assessed in all areas.

AUTHORIZATION TO OBTAIN INFORMATION

Student's Legal Name: ______________________________ Date: __________

School District: ______________________________

I hereby authorize the release of information from the agency/person(s) listed below:

____

____

____

____

____

Check all appropriate:

- ☐ Transcripts
- ☐ Health records
- ☐ Psychological and counseling
- ☐ Special Education records
- ☐ Police Records
- ☐ Other (specify) ______________________________

I understand that the information obtained will be treated in a confidential manner and will not be transmitted to a third party. I also understand that it is my right to request a copy of all information and contest any information I feel is incorrect.

______________________________ ______________________________
Parent/Guardian Signature Address

______________________________ ______________________________
Date

Evaluation Summary and Eligibility Report

Student's Legal Name

Last Name First Name Middle Name Student Number Gender

School Grade Native Language Birth Date Age

As a result of the following evaluations:

☐ The student is determined eligible for special education as:

☐ The student is not eligible for special education.

☐ The student would be considered to have a disability under Section 504 as:

Evaluation Summary

Area	Date	Results (Present levels of educational performance)
Parent Information and Observations		
Intellectual Ability		
Social/Emotional		
Academic Achievement		
Communication (Speech/Language)		
Hearing		
Vision		

Evaluation Summary and Eligibility Report

Student's Legal Name ______________________ Date __________

Area	Date	Results (Present levels of educational performance)
Adaptive Behavior		
Classroom Observation		
Physical/ Occupational Therapy Assessments		
Vocational Interests/ Aptitude		
Developmental/ Medical History		
Fine and Gross Motor Development		
Assistive Technology		
Other		

Evaluation Summary and Eligibility Report

Student's Legal Name ______________________ Date ____________

Complete this section only for students identified as having a learning disability

Basis for making the decision (e.g., classroom observation , academic assessment, adaptive behavior checklist)

Relevant behavior noted during the observation and relationship of behavior to educational functioning (observation attached)

Educationally relevant medical findings, if any

Severe discrepancy between achievement and ability

Effects of environmental, cultural, or economic factors if any

Complete the following for all students

☐ Evaluation conducted in primary language or student's other mode of communication.

☐ Evaluation not conducted in primary language of student's other mode of communication. Explanation:

____

____

☐ This child is not determined to be a child with a disability based on a lack of instruction in reading or math, or limited English proficiency.

Evaluation Summary and Eligibility Report

Student's Legal Name ______________________________ Date ______________

Assessment summary

Student Strengths

Educational Needs (in priority order)	**Recommendations** (matched to needs)
1	1
2	2
3	3
4	4

Other factors considered, if any

Signatures of Team, including the parent, involved in the individual evaluation whose assessment results are reflected in this compiled report. Members who disagree must attach an explanation of their position.

Team members	Titles	Agree	Disagree
	Parent	☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Alaska Language Categories

Identification and Assessment of Language Dominance (AAC 34.050)

Category	Definition
A	Speaks a language other than English exclusively
B	Speaks mostly a language other than English, but also speaks some English
C	Speaks English and another language with equal ease
D	Speaks mostly English, but also speaks a language other than English
E	Speaks exclusively but whose manner of speaking reflects the grammatical structure of another language.
F	Speaks English exclusively but does not fit category E

APPENDIX D

IEP AND PLACEMENT

1. Instructions for Completing IEP Form
2. IEP Form
3. IEP Amendment Form
4. Written Invitation to IEP Meeting
5. Written Student Invitation to IEP/Transition Planning Meeting
6. Telephone Invitation to IEP Meeting
7. Consent for Initial Placement Form
8. Letter to Request Records for a Transfer Student
9. Transfer of Rights Letter
10. Sample Progress Reports
11. Program Exit Form
12. Alaska State Standards

INSTRUCTIONS FOR COMPLETING IEP FORM

Student's Name	The student's full name.
Student Number	The student's number.
School	The school the student attends.
Grade	The child's grade in school (e.g., first, fifth). Do not use "special education."
Native Language	The language normally used by the child in the home/learning environment. For individuals with deafness/blindness/no written language, it is the mode of communication normally used, e.g., sign language, Braille, or oral communication.
Birthdate	The month, day and year the child was born.
Age	The age of the child.
Initial IEP	The initial IEP is the first IEP a child received when he or she entered special education.
Annual Review	The annual review is the IEP that is required at least once each year.
Reevaluation	A reevaluation must occur at least once every three years.
Transfer	Denotes whether this meeting is held to review an IEP and eligibility that comes from another state or district.
Gender	Indicate whether the student is female or male.
IEP Meeting Date	The date the IEP meeting is held.
Certification	The disability area (e.g., Learning Disabled, Emotional Disorder, Deaf) in which the student was certified for special education and related services.

Expiration Date of IEP	The date of the next planned IEP meeting cannot be more than one year from the date of the present IEP meeting.
Eligibility Evaluation Date	The date the student was determined eligible for special education and related services.
IEP Participants Present	Signatures only indicate the persons present; they do not indicate approval of the IEP. Signatures should be obtained before the IEP meeting begins.
Role	Role of the participants (e.g., psychologist, friend of parent).
Special Education and Related Services	The types of special education services (e.g., reading, math, transition) and related services (e.g., transportation, PT, OT) to be provided in order for the student to attain his/her annual goals.
Regular Education Participation	Indicate planned involvement in regular education (e.g., "regular math and science", "lunch, assembly and other special events will be with the regular school program").
Location	The location where the services will be delivered (e.g., the student's regular classroom, resource room).
Projected Start Date	The date the service will begin.
Projected End Date	The date the anticipated service will end. Generally the duration of service date and the expiration date of the IEP are the same. However, the expected duration of one service may be less than the expected duration of another service.
Provider	The title of the person responsible (e.g., speech therapist, aide). Do not name an individual!
Frequency	The amount of time per session, and the frequency (e.g., 30 minutes per day, 5 days per week.) The frequency of on-site program review by each itemized service provided.

Total Hours	The total amount of services (special education, related services, regular education participation) the child is expected to receive each week.
Student and Family Goals	A statement that guides the team in annual IEP development reflecting the student/family goals for the year.
Student's Strengths	Describe/list the areas in which the student shows his or her strengths (e.g., academic, behavioral, sports). This is a great place to elicit parent input.
Present Levels of Educational Performance	Concise written descriptions of the affect of the student's disability on the student's performance in any area of education that is affected. The following guidelines should be followed in developing the present levels of educational performance: • Statements should be written in easy to understand language that is free of educational jargon. • Information must be current. • Statements should reflect the results of the assessment data. Test scores should be accompanied by statements that relate scores to the student's level of functioning. • There should be a direct relation between the present levels of educational performance and the other components of the IEP. If the statement describes a problem with a child's reading, this problem should be addressed under both the goals and objectives or benchmarks and the specific special education and related services to be provided. • Transition must be addressed beginning at age 14, but can be addressed earlier. **Note**: Labels such as mental retardation or deafness may not be used as a substitute for the description of functioning levels.
Parent Comments	The parents main concerns and priorities for their child, as well as any relevant or important comments.

Other Agency Comments	Relevant or important comments, concerns, or additional information that do not logically fit in other sections
Measurable Annual Goals	The goals should focus on addressing the learning problems resulting from the child's disability. They should address the needs summarized in the child's present level of educational performance. The goals are written statements that describe what a child is expected to learn from his or her educational program within the IEP time period, usually one year. The following guidelines should be followed when developing goals: • Goals should be measurable. • Goals should be general statements yet focus on different skill areas. • Goals should be designed to correct the weaknesses indicated in the present levels of educational performan • Goals should reflect reasonable expectations for student accomplishments. • Goals should reflect transition needs. • The language of the goals should be easily understood by all members of the IEP committee. • Goals should reflect Alaska State Standards, when possible.
Short Term Objectives or Benchmarks	Short term objectives or benchmarks are derived from the annual goals but represent smaller learning tasks a student must master on the way to achieving the annual goals. At least two objectives or benchmarks should be written for each annual goal. Objectives or benchmarks must be measurable and may include the following three components: • Objective criteria that enable progress to be monitored and allow for determination of when the objective or benchmark has been accomplished. • Evaluation procedures to be used. For example, teacher observation, written performance, oral performance, parent report, teacher-made tests. • Review Dates to determine how often the objective or benchmark will be measured. For example, one to two weeks, one month, six weeks, nine weeks, each semester, annually.

Responsible Person	The title of the person(s) responsible for implementing the program and assessing the goal (e.g., speech therapist, aide). Do not name an individual!
Progress	Progress to be measured in the following ways: objective met; progress made, but objective not met; little or no progress; met, but not maintained. Person responsible should initial with date and notations.
Progress Report	List the dates that the student's progress will be reported to the parents. Specify whether the report is to be by report card or other means of notification.
Extended School Year	Indicate if extended school year services are anticipated for the student. The information used to support this need should be noted. If the need for ESY services has not been determined, indicate the date the IEP team will meet to consider the need.
Statewide Testing	Indicate whether the student will participate in statewide or districtwide achievement testing. List any accommodations, used in instruction, that will be needed for the student to participate. If the student will not participate in the regular assessments, with or without accommodations, state how the student will be assessed.
Special Considerations	Indicate whether the IEP team found the following to be concerns/needs of the student: • Behavioral interventions • Limited English proficiency • Instruction in Braille and the use of Braille • Communication needs • Assistive Technology needs Indicate that the IEP team reviewed each of the special considerations and determined whether it was a concern to be addressed in the IEP.

Program Modifications/Supports

Describe the program modifications or supports provided to school personnel to help the child to:

- Advance appropriately toward meeting his/her annual goals.
- Be involved in the general curriculum.
- Participate with other children (those with disabilities and those without) in extracurricular and other activities

Justification for Placement

A justification for placement must be provided to ensure that the child is placed in the least restrictive environment. An explanation of the extent, if any, to which the student will not be participating with children without disabilities must be provided.

Transition Services

List the student's desired post-school outcomes for adult living and working environments including employment, community participation, residential living, and leisure activities.

Beginning on or before the student's 14th birthday, a statement of the student's transition service needs focusing on the student's course of study must be included in the IEP (required, elective, modified, or specially-designed courses).

Beginning on or before age 16, a statement of transition services is required that includes

- Related Services
- Community experiences
- Employment
- Related Services
- Adult Living
- Daily Living Skills (when appropriate)
- Functional Vocational Evaluation (when appropriate)

There should be a direct relation between the statement of needed transition services and the present levels of educational performance, goals and objectives or benchmarks.

	Provide documentation of the student's preferences/interests if they did not attend the IEP meeting.
	Document the participation of other agency personnel if they did not attend the IEP meeting.
	Include a statement of interagency responsibilities or linkages, when appropriate. If any agency fails to provide agreed-upon services, a meeting must be held as soon as possible to identify alternative strategies; list the date that the IEP team will reconvene should this occur.
	At least one year before the student reaches age 18, the student and parent must be notified of the Transfer of Rights. On the IEP form, note the date by which this notice must be sent.
Person-Centered Planning Worksheet	This worksheet helps a student to direct their IEP/Transition Process. The IDEA 97 supports a strong student-centered process. This worksheet can assist the team in assuring that a student's desires are represented in the IEP plan. For information on how to conduct person-centered planning contact Mike Young (907/562-7372) or Bruce Farnsworth (907/272-8270) of the Alaska Transition Initiative (ATI).
IEP Amendment Form	This form can be used for small changes to a current IEP. It may be a useful form to specify goals and objectives in an ESY IEP. It may not be used to extend the review date on an IEP.

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________________ ____________

Last Name First Name Middle Name Student Number

__________ ______ __________ ______ ______

School Grade Native Language Birth Date Age

☐ Initial ☐ Annual Review ☐ 3 Year Reevaluation ☐ Transfer Gender ________

IEP Meeting Date ____________ Certification ____________

Expiration Date ____________ Eligibility Evaluation Date ____________

Signatures of Participants in IEP Meeting

The following individuals were in attendance:

Special Education Teacher	Regular Education Teacher
District Representative or Administrative Designee	Surrogate
Parent(s)/Guardian/Foster Parent	Other/Role
Student (as appropriate, and beginning at age 14)	Other/Role

Specific special education (e.g. Reading, Math, Written Expression, Behavior) and related services (e.g. Occupational Therapy, Physical Therapy, Speech-Language). Include amount of time per session or day and frequency per week.

Special Education	Location	Projected Start Date	Projected End Date	Provider	Frequency
☐ Reading					
☐ Math					
☐ Written Language					
☐ Physical Education					
☐ Behavioral					
☐ Speech/Language					
☐ Vocational Education					
☐ Discipline Plan					
☐ ________					
☐ ________					
				Special Education Total hours per Week	

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________ I.E.P. Date ____________

Related Services	Location	Projected Start Date	Projected End Date	Provider	Frequency
☐ Transportation					
☐ Counseling					
☐ Physical Therapy					
☐ Occupational Therapy					
☐ Psychological					
☐ Speech/Language					
☐ Transition Services					
☐ Educational Interpreter					
☐ Assistive Technology					
☐ Orientation/Mobility					
☐					

Related Services Total hours per Week ______

Regular Education Participation	Location	Provider	Frequency

Regular Education Total Hours Per Week ______

Special Education Services + Regular Education = one district day or one district week.

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________ I.E.P. Date __________

Student and Family Goals

Student's Strengths:

Present Levels of Educational Performance

This statement must include a description of: the effect of the disability on the student's involvement and progress in the general education curriculum; or the effect of the disability on the participation of a preschool child on appropriate activities, and transition needs (required at age 14 and older).

Parent Comments, Needs, or Concerns:

Other Agency Comments:

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________________ I.E.P. Date ______________

Measurable Annual Goals	Short Term Instructional Objectives or Benchmarks (Includes objective criteria)	Evaluation Procedures	Review Dates	Responsible Person (by title)	Progress
(1) Standard______________					
(2) Standard______________					
(3) Standard______________					
(4) 428 Transition______________					420

Add extra pages as needed.

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________________ I.E.P. Date ____________

Progress Report

Parent Information Regarding Progress Toward Achievement:

Your child's progress toward her/his annual goals and the extent to which that progress is sufficient to enable your child to achieve the goals by the end of the year, will be reported to you at least as often as other students in the school.

The report dates are: ____________________ Report Card ☐ Yes ☐ No

Other (specify) ____

Extended School Year

Extended School year, if anticipated provide information to support the need:

☐ Yes ☐ No ☐ To be considered Date: ____________

If yes, ESY IEP to be developed by Date: ____________

Statewide or Districtwide Achievement Testing:

☐ Will participate without accommodations.

☐ Will participate with the following accommodations (accommodations must be used at least 3 months prior to using in achievement testing):

- ☐ Audio-taped Responses
- ☐ Sign Language
- ☐ Flexible Scheduling
- ☐ Large Print or Braille
- ☐ Word processor
- ☐ Multiple Test Sessions
- ☐ Separate Testing Setting
- ☐ Simplification of Directions
- ☐ Small Group Administration
- ☐ Use of Scribe
- ☐ Write Answers in Test Booklet
- ☐ Other ________

☐ Will be assessed using the following alternate methods:

(Beginning July 1, 2000, an alternate assessment for students with significant disabilities will be available.

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________________ I.E.P. Date ____________

Special Considerations:

1. In the case of a child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.

   ☐ Not a Concern ☐ Concern addressed in IEP

2. In the case of a child with limited English proficiency, consider the language needs of the child as these needs relate to the child's IEP.

   ☐ Not a Concern ☐ Concern addressed in IEP

3. In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.

   ☐ Not a Concern ☐ Concern addressed in IEP

4. Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

   ☐ Not a Concern ☐ Concern addressed in IEP

5. Consider whether the child requires assistive technology devices and services

   ☐ Not a Concern ☐ Concern addressed in IEP

Program modifications or supports for school personnel to help the student to advance appropriately toward annual goals: (Include location and frequency if appropriate)

Program modifications or supports for school personnel to help the student be involved in and progress in the general curriculum (Include location and frequency)

Program modifications or supports for school personnel to assist students to participate in extracurricular and other activities (Include location and frequency)

BEST COPY AVAILABLE

INDIVIDUAL EDUCATION PROGRAM (IEP)

Student's Legal Name ______________________________ I.E.P. Date __________

Placement is decided after a program has been written. The justification for placement must include an explanation of the extent, if any, to which the child will not participate with nondisabled children.

Removal of students from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The following placement options have been considered for this student to ensure placement in the least restrictive environment. (Check and justify placement(s) considered in descending order. i.e., from least to most restrictive. It is not necessary to justify placement considerations more restrictive than the determined placement.)

Placement	**Justification** Describe justification for selecting or rejecting placement
1. Regular classroom with supplemental aids and services supervised by special education personnel at least monthly. ☐ Selected ☐ Rejected	
2. Regular classroom with direct service from special education personnel. ☐ Selected ☐ Rejected	
3. Regular classroom with pull-out service from special education personnel. ☐ Selected ☐ Rejected	
4. Self contained special education classroom. ☐ Selected ☐ Rejected	
5. Special School ☐ Selected ☐ Rejected	
6. Home or hospital instruction. ☐ Selected ☐ Rejected	
7. Instruction in an institution. ☐ Selected ☐ Rejected	

INDIVIDUAL EDUCATION PROGRAM (IEP) - TRANSITION

Student's Legal Name ____________ Birthdate ____________ I.E.P. Date ____________

(See person centered worksheet on page 15 to begin planning process)

Post School Outcomes

Employment: ____________ Community participation: ____________

Residential: ____________ Leisure recreation: ____________

Statement of Transition Service Needs - Beginning at Age 14

Grade 9 Courses of Study:

Grade 10 Courses of Study:

Grade 11 Courses of Study:

Grade 12 Courses of Study:

INDIVIDUAL EDUCATION PROGRAM (IEP) - TRANSITION

Student's Legal Name ______________________ Birthdate ______________ I.E.P. Date ______________

Statement of Needed Transition Services: Coordinated Activities/Strategies - Beginning at age 16, or younger if appropriate

Transition Services	Activities/Strategies	Agency/Responsibilities	Who Will Provide and/or Pay
Instruction: *Number of Corresponding Goals/Objectives (from page 5)* ____			
Community Experiences:			

435

436

INDIVIDUAL EDUCATION PROGRAM (IEP) - TRANSITION

Student's Legal Name ______________________ Birthdate ______________ I.E.P. Date ______________

Statement of Needed Transition Services: Coordinated Activities/Strategies			
Transition Services	**Activities/Strategies**	**Agency/Responsibilities**	**Who Will Provide and/or Pay**
Employment:			
Related Services:			

INDIVIDUAL EDUCATION PROGRAM (IEP) - TRANSITION

Student's Legal Name ______________________ Birthdate ______________ I.E.P. Date ______________

Statement of Needed Transition Services: Coordinated Activities/Strategies

Transition Services	Activities/Strategies	Agency/Responsibilities	Who Will Provide and/or Pay
Adult Living:			
Daily Living Skills: (if appropriate)			
Functional Vocational Evaluation: (if appropriate)			

INDIVIDUAL EDUCATION PROGRAM (IEP) - TRANSITION

Student's Legal Name ______________________ Birthdate ______________ I.E.P. Date ______________

Documentation of student's preferences and interests in the development of the IEP if the student did not attend (Describe or use PCP worksheet, page 15):

Documentation of other agency participation in planning if they did not attend (Describe):

Agency Responsibilities:

Date IEP reconvened: ______________________ (If any agency fails to provide agreed-upon services a meeting must be held as soon as possible to identify alternative strategies and, if necessary, revise the IEP.)

Transfer of Rights

The student and parents have been notified of the transfer of rights under Part B of the IDEA. Notice must be provided to parents and eligible students at least one year prior to the student reaching age 18.

Date by which notice must be sent: ______________________

PERSON CENTERED PLANNING WORKSHEET

From PCP to IEP

[A worksheet to assist with transition planning in the IEP process]

Student's Legal Name ______________________ Birthdate ______________ I.E.P. Date ______________

Dreams and Fears or Areas of Need	Planning/ Transition Area	Goal	Long Medium Short Term	Who Provides Assistance	Time Frame	IEP Applications
443						

444

IEP AMENDMENT FORM

Student's Legal Name ______________________________ ______________
Last First Middle Student #

______________ ______ ______________ __________ ______
School Grade Native Language Birth Date Age

______________ ______________ ______________
Date of this amendment: This plan amends IEP developed on: Expiration date of this IEP

Student Transfer ☐ Yes ☐ No If yes, former district ______________

IEP Participants Present (signature)	Role
	Parent
	District Representative
	Special Education Teacher
	Student
	General Education Teacher

Reason for Amendment:

Amended Present Levels of Educational Performance:

Amended Goal(s) (and relation to Alaska Standard):

Amended Objective(s):

Amended Placement Justification:

Other:

WRITTEN INVITATION TO IEP TEAM MEETING

Student's Legal Name ______________________ Birthdate ____________

Dear (Parent): ________________________________ Date ____________

You are invited to attend a meeting to prepare a plan to meet your child's educational needs. The purpose of the meeting is

____

We have also invited the following persons to participate in this meeting:

______________________________ ______________________________

______________________________ ______________________________

______________________________ ______________________________

______________________________ ______________________________

You may invite others to participate in this meeting. Please inform me if you intend to invite other participants.

The team will develop an Individualized Education Program (IEP) for your child who is in need of special education and/or related services.

This meeting is scheduled for __________ __________ at ________________
time date place

If this time is not convenient, please contact me at: __________ to reschedule the meeting.

A copy of the Notice of Procedural Safeguards is attached to this letter. This information is provided to insure that you are aware of the procedural rights available to parents/guardians and children.

Sincerely,

WRITTEN STUDENT INVITATION TO IEP/TRANSITION PLANNING MEETING

Dear ______________________________ Date ______________

You are invited to attend a meeting to develop your Individualized Education Program (IEP). An important part of this meeting will be a discussion with you concerning what *you* would like to do after you leave high school and how we can create a statement of needed transition services to support your post school goals. (Post school activities include post secondary education, vocational training, employment, adult services, independent living, and community participation.) We'll be asking where you would like to work, where you would like to live, and whether you would like to continue your education and/or training after high school.

After this discussion, we will be identifying specific services to assist you in working toward your future goals. Because this meeting is about *what you want to do*, it is very important that you attend.

This meeting is scheduled for ____________ ____________ at ____________
time date place

The following persons have been invited to attend the meeting:

Parent	Name and agency/position
Name and agency/position	Name and agency/position
Name and agency/position	Name and agency/position

Please let me know if you will be able to attend.

Sincerely,

* * *

Student Invitation to IEP Meeting

______ Yes, I will be able to attend the meeting as scheduled.
______ Yes, I will be able to attend a meeting, but please contact me to reschedule.
______ No, I won't be able to attend a meeting.

Date	Student's signature

TELEPHONE INVITATION TO IEP TEAM MEETING

Student's Legal Name ______________________ Birthdate ____________

Date Called ______________________ Hour ________ am/pm

Person Contacted ____

IEP Meeting Time Schedule: Hour ____________ Date ____________

Parent or Guardian Response:

☐ Will attend ☐ Cannot attend, please proceed

☐ Could not contact ☐ Rescheduled at parent's request

My signature below assures that Parent(s)/Guardian(s) were:

- informed of purpose, time and location of meeting
- informed of persons invited to participate in the IEP Team meeting
- informed that they may invite others to participate in the IEP Team meeting.
- provided with a copy of the Notice of Procedural Safeguards.

Comments:

____

Signature

CONSENT FOR INITIAL PLACEMENT

Student's Legal Name ______________________________ Birthdate __________

Eligibility Category: ____

I, as parent or guardian of the above named child, give my consent for the placement of my child in the special education program based on the I.E.P., with the understanding that the need for this placement will be reviewed at least once annually in relation to my child's educational needs. I have been fully informed of all information relevant to the proposed program placement. I understand that the granting of consent is voluntary and may be revoked prior to the initial placement occurring.

The Notice of Procedural Safeguards is attached to this letter.

____

Parent/Guardian Signature Date

____

Parent/Guardian Signature Date

Sample[1]
Letter to Request Records for a Transfer Student

Dear ________________________

The documents listed below are missing from the special education file for (Student name, and date of birth) that we received from your district. Please look for them in your files and send them to:

Special Education Director
School District
Address

Your help in making these files complete is greatly appreciated. If you are unable to send or fax these forms, please call ___________________________.

Forms Needed

______ Initial referral

______ Consent for evaluation

______ Assessment reports (e.g., psychology, speech language)

______ Consent for initial placement

______ IEPs for the previous 5 years

______ Discipline records for the past 2 years

______ Behavior plans

______ Evaluation Summary and Eligibility Report

______ Consent for reevaluation

______ Teacher observations

______ Work samples

______ Other

---

[1] Adapted from letter developed by Hope Eldridge, Special Education Teacher/Coordinator, Mt. Edgecumbe High School

Sample[1]
Transfer of Rights Letter

Dear ________________________:

This letter is to inform you that when (student name and date of birth) has his/her eighteenth birthday, he/she will be of age to begin making decisions about his/her educational career. This is formally called the "transfer of rights." It is important to maintain on-going communication with your child so that he/she makes the best choices.

If you have any questions, please do not hesitate to contact me.

Thank you.

Sincerely

---

[1] Adapted from letter developed by Hope Eldridge, Special Education Teacher/Coordinator, Mt. Edgecumbe High School

SAMPLE
SPECIAL EDUCATION PROGRESS REPORT
SEMESTER ______

NAME: ______________________________ DATE: __________

TEACHER: ____________________________ GRADE: __________

This special education progress report indicates progress your child is making toward the goals established in his/her Individual Education Plan (IEP). Instruction in each of the areas is specially designed to meet the needs of the individual student.

SPECIALLY DESIGNED ________

Working toward Expected Level	Working within Expected Level	Working beyond Expected Level

●—●—●—●—●—●—●—●—●—●—●

SPECIALLY DESIGNED ________

Working toward Expected Level	Working within Expected Level	Working beyond Expected Level

●—●—●—●—●—●—●—●—●—●—●

SPECIALLY DESIGNED ________

Working toward Expected Level	Working within Expected Level	Working beyond Expected Level

●—●—●—●—●—●—●—●—●—●—●

SPECIALLY DESIGNED ________

Working toward Expected Level	Working within Expected Level	Working beyond Expected Level

●—●—●—●—●—●—●—●—●—●—●

Teacher Comments:

Parent Comments:

____

Parent/Guardian Signature

9/99

Sample

Progress Report 1998-1999

Student Name:

Teacher Name:

Key: N= not yet developed
B= beginning to develop
/= not yet introduced

D= developed
H= highly developed

I= independently
W= with reminder

Quarter	1	2	3	4
Reading				
decodes unfamiliar words				
reads 1000 sight words				
reads at a moderate pace				
reads 100 word pass. in 1 min.				
break words into syllables				
decodes contractions				
decodes prefixes and suffixes				
answers questions about readings				
locates information in readings				
Writing				
uses self-eval checklist				
scores 80% on Level C SRA Spelling				
spells SRA words correctly when writing				
spells phonograms correctly				
writes summaries of readings				
indents for new paragraphs				
uses capital letters properly				
uses punctuation properly				

Comments:____

From: Sharon Resnick, Special Education Teacher, Haines Borough School District

PROGRAM EXIT FORM

Student Legal Name ______________________ Date __________

Parent/Guardian Name ______________________

Address ______________________

Phone ______________________

Reason for Exit:

☐ The student accomplished the goals and objectives of his or her IEP and can make satisfactory progress (e.g., passing grades) in the regular classroom.

☐ The student completed his or her educational program.

- ☐ Graduation with a regular diploma
- ☐ Graduation with certificate of attendance

☐ The student dropped out of school

☐ The student moved from the district.

- ☐ Known to be continuing in a special education program
- ☐ Not known to be continuing in a special education program

☐ The student reached age 22. (If the child reaches his or her 22nd birthday during the school year, the child is entitled to continue through the school year.)

☐ The student died.

Date of Exit: __________

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD A3: ESTIMATION AND COMPUTATION

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A3.1.1 Make reasonable estimates of "how many" and "how much"; estimate the results of simple addition and subtraction problems.	A3.2.1 Describe and use a variety of estimation strategies including rounding to the appropriate place value, multiplying by powers of 10, and using front-end estimation to check the reasonableness of solutions.	A3.3.1 Apply, explain, and assess the appropriateness of a variety of estimation strategies including truncating and rounding to compatible numbers.	A3.4.1 Use estimation to solve problems and to check the accuracy of solutions; state whether the estimation is greater or less than the exact answer.
A3.1.2 Recall and use basic addition and subtraction facts orally and with paper and pencil without a calculator.	A3.2.2 Recall and use basic multiplication and division facts orally, with paper and pencil without a calculator.	A3.3.2 Apply basic operations efficiently and accurately, using estimation to check the reasonableness of results.	
A3.1.3 Add and subtract whole numbers to 100 using a variety of models and algorithms.	A3.2.3 Add and subtract whole numbers and fractions with common denominators to 12 and decimals, including money amounts, using models and algorithms.	A3.3.3 Add and subtract fractions, decimals, and percents.	A3.4.3 Add and subtract real numbers using scientific notation, powers, and roots.
A3.1.4 Model multiplication as repeated addition and grouping objects; model division as "sharing equally" and grouping objects.	A3.2.4 Multiply and divide multi-digit whole numbers by 2-digit numbers, limiting the 2-digit divisors to those that end in 0; multiply and divide decimals that represent money by whole numbers.	A3.3.4 Multiply and divide rational numbers in various forms including fractions, decimals, and percents.	A3.4.4 Multiply and divide real numbers in various forms including scientific notation, powers, and roots.
	A3.2.5 Find equivalent fractions. Convert between fractions and mixed numbers.	A3.3.5 Convert between equivalent fractions, decimals, percents, and proportions. Convert from exact to decimal representations of irrational numbers.	A3.4.5 Select, convert, and apply an equivalent representation of a number for a specified situation.
455	A3.2.6 Develop and interpret scales and scale models.	A3.3.6 Solve problems using ratios and proportions.	A3.4.6 Use ratios and proportions to model and solve fraction and percent problems with variables.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD A4: FUNCTIONS AND RELATIONSHIPS

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A4.1.1 Recognize, describe, create, and extend repeating and increasing patterns with a variety of materials including symbols, objects, and manipulatives.	A4.2.1 Use patterns and their extensions to make predictions and solve problems; describe patterns found in the number system including those formed by multiples, factors, perfect squares, and powers of 10.	A4.3.1 Identify numeric and geometric patterns to find the next term and predict the nth term.	A4.4.1 Identify, graph, and describe the graphs of basic families of functions including linear, absolute value, quadratic, and exponential using a graphing calculator.
A4.1.2 Generate and solve simple functions by identifying and applying addition and subtraction patterns.	A4.2.2 Generate and solve simple functions by identifying and applying multiplication and division patterns.	A4.3.2 Identify and describe how a change in one variable in a function affects the remaining variables (e.g.,, how changing the length affects the area and volume of a rectangular prism).	A4.4.2 Create and solve linear and quadratic equations and inequalities.
A4.1.3 Use a calculator to find and extend patterns in the number system.	A4.2.3 Use a calculator to find a missing item in a number sequence.	A4.3.3 Use a calculator to find a missing item in an arithmetic and a geometric sequence; predict the graph of each function.	A4.4.3 Create and solve simple systems of equations, algebraically and graphically, using a graphing calculator.
	A4.2.4 Use words, lists, and tables to represent and analyze patterns.	A4.3.4 Translate among and use tables of ordered pairs, graphs on coordinate planes, and linear equations as tools to represent and analyze patterns.	A4.4.4 Use discrete structures, such as networks, matrices, sequences, and iterations as tools to analyze patterns, expressions, and equations.
A4.1.5 Complete open space sentences with missing numbers; use appropriate vocabulary including greater than, less than, and equal to; and use the correct symbols.	A4.2.5 Explain the purpose of variables and use them in open sentences to express relationships and describe simple functions.	A4.3.5 Find the value of a variable by evaluating formulas and algebraic expressions for given values.	A4.4.5 Add, subtract, multiply, divide, and simplify rational expressions; add, subtract, and multiply polynomials.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD A5: GEOMETRY

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A5.1.1 Identify, sort, describe, model, and compare circles, triangles, and rectangles including squares regardless of orientation.	A5.2.1 Identify and compare various triangles and quadrilaterals according to their sides and/or angles.	A5.3.1 Identify, classify, compare, and sketch regular and irregular polygons.	A5.4.1 Identify and use the properties of polygons, including interior and exterior angles, and circles (including angles, arcs, chord, secants, and tangents) to solve problems.
A5.1.2 Identify, sort, describe, model, and compare solid figures including cubes, cylinders, and spheres.	A5.2.2 Compare and contrast plane and solid figures (e.g.,, circle/sphere, square/cube, triangle/pyramid) using relevant attributes, including the number of vertices, edges, and the number and shape of faces.	A5.3.2 Model, identify, draw, and describe 3-dimensional figures including tetrahedrons, dodecahedrons, triangular prisms, and rectangular prisms.	A5.4.2 Create 2-dimensional representations of 3-dimensional objects.
A5.1.3 Identify and create examples of line symmetry; compare and describe given circles, triangles, and rectangles as larger, smaller, or congruent.	A5.2.3 Identify and model geometric figures that are congruent, similar, and/or symmetrical.	A5.3.3 Apply the properties of equality and proportionality to solve problems involving congruent or similar shapes.	A5.4.3 Identify congruent and similar figures using Euclidean and coordinate geometries; apply this information to solve problems.
A5.1.4 Demonstrate conservation of area using drawings or manipulatives.	A5.2.4 Distinguish between area and perimeter; find both using a variety of methods including rulers, grid paper, and tiles.	A5.3.4 Estimate and determine volume and surface areas of solid figures using manipulatives and formulas; estimate and find circumferences and areas of circles.	

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A5.1.5 Describe and identify geometric transformations including slides, flips, and turns.	A5.2.5 Identify and model transformations of geometric figures, describing the motions as slides, flips, or rotations.	A5.3.5 Draw and describe the results of transformations including translations (slides), rotations (turns), reflections (flips), and dilations (shrinking or enlarging).	A5.4.5 Use transformations to demonstrate geometric properties.
A5.1.6 Use comparative directional and positional words: above, below, inside, outside, on, in, right and left, horizontal, vertical, and middle.	A5.2.6 Locate and describe objects in terms of their position with and without compass directions; identify coordinates for a given point or locate points of given coordinates on a grid.	A5.3.6 Use coordinate geometry to represent and interpret relationships defined by equations and formulas including distance and midpoint.	A5.4.6 Use coordinate geometry to graph linear equations, determine slopes of lines, identify parallel and perpendicular lines, and to find possible solutions to sets of equations.
A5.1.7 Draw and build familiar shapes.	A5.2.7 Sketch and identify line segments, midpoints, intersections, parallel, and perpendicular lines.	A5.3.7 Draw, measure, and construct geometric figures including perpendicular bisectors, polygons with given dimensions and angles, circles with given dimensions, perpendicular and parallel lines.	A5.4.7 Construct geometric models, transformations, and scale drawings using a variety of methods including paper folding, compass, straight edge, protractor, and technology.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD A6: STATISTICS/PROBABILITY

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A6.1.1 Collect, record, organize, display, and explain the classification of data.	A6.2.1 Collect, organize, and display data creating a variety of visual displays including tables, charts, and line graphs.	A6.3.1 Collect, analyze, and display data in a variety of visual displays including frequency distributions, circle graphs, box and whisker plots, stem and leaf plots, histograms, and scatter plots with and without technology.	A6.4.1 Analyze and draw inferences from a wide variety of data sources that summarize data; constructing graphical displays with and without technology.
A6.1.2 Describe data from a variety of visual displays including tallies, tables, pictographs, bar graphs, and Venn diagrams.	A6.2.2 Present the data using a variety of appropriate representations and explain the meaning of the data.	A6.3.2 Interpret and analyze information found in newspapers, magazines, and graphical displays.	A6.4.2 Determine the line of best fit and use it to predict unknown data values.
A6.1.3 Use the terms "maximum" and "minimum" when working with a data set.	A6.2.3 Describe and interpret a data set using mean, median, mode, and range.	A6.3.3 Determine and justify a choice of mean, median, or mode as the best representation of data for a practical situation.	A6.4.3 Describe data, selecting measures of central tendencies and distribution, to convey information in the data.
		A6.3.4 Make projections based on available data and evaluate whether or not inferences can be made given the parameters of the data.	A6.4.4 Analyze the validity of statistical conclusions and the use, misuse, and abuse of data caused by a wide variety of factors including choices of scale, inappropriate choices of measures of center, incorrect curve fitting, and inappropriate uses of controls or sample groups.

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
A6.1.5 Find and record the possibilities of simple probability experiments; explain differences between chance and certainty, giving examples.	A6.2.5 Estimate whether a game is mathematically fair or unfair; analyze and present probability data using simple fractions.	A6.3.5 Use tree diagrams and sample spaces to make predictions about independent events.	A6.4.5 Analyze data from multiple events and predict theoretical probability; find and compare experimental and theoretical probability for a simple situation, discussing possible differences between two results.
A6.1.6 Conduct a survey and tally the results.	A6.2.6 Conduct simple probability experiments using concrete materials and represent the results using fractions and probability.	A6.3.6 Design and conduct a simulation to study a problem and communicate the results.	A6.4.6 Design, conduct, analyze, and communicate the results of multi-stage probability experiments.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD B: PROBLEM-SOLVING

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
B1.1.1 Formulate problems from practical and mathematical activities.	B1.2.1 Read and summarize a problem, using mathematical terms and symbols.	B1.3.1 Analyze and summarize a problem using the relationships between the known facts and unknown information.	B1.4.1 Recognize and formulate mathematical problems from within and outside the field of mathematics.
B1.1.2 Develop and apply strategies including guess and check, modeling and acting out, drawings, and extending patterns to solve a variety of problems.	B1.2.2 Select and apply a variety of strategies including making a table, chart or list, drawing pictures, making a model, and comparing with previous experience to solve problems.	B1.3.2 Select, modify, and apply a variety of problem-solving strategies including graphing, inductive and deductive reasoning, Venn diagrams, and spreadsheets.	B1.4.2 Apply multi-step, integrated, mathematical problem-solving strategies, persisting until a solution is found or it is clear no solution exits.
B1.1.3 Predict an answer before solving a problem and compare results to check for reasonableness.	B1.2.3 Explain and verify results of the original problem and apply what was learned to new situations.	B1.3.3 Evaluate, interpret, and justify solutions to problems.	B1.4.3 Verify the answer by using an alternative strategy.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD C: COMMUNICATION

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
C1.1.1 Translate problems from everyday language into math language and symbols.	C1.2.1 Use the mathematical vocabulary appropriate to the problem.	C1.3.1 Use math vocabulary, symbols, and notation to represent information in the problem.	C1.4.1 Use appropriate technology to represent the information and ideas in a problem.
C1.1.2 Use manipulatives, models, pictures, and language to represent and communicate mathematical ideas.	C1.2.2 Represent mathematical and practical situations using concrete, pictorial, and symbolic representation.	C1.3.2 Represent a problem numerically, graphically, and symbolically; translate among these alternative representations.	C1.4.2 Use numerical, graphic, and symbolic representations to support oral and written communication about math ideas.
C1.1.3 Use everyday language to explain thinking about problem solving strategies and solutions to problems.	C1.2.3 Organize and communicate mathematical problem solving strategies and solutions to problems.	C1.3.3 Use appropriate vocabulary, symbols, and technology to explain, justify, and defend mathematical solutions.	C1.4.3 Explain, justify, and defend mathematical ideas, solutions, and methods to various audiences.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD D: REASONING

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
D1.1.1 Draw conclusions about mathematical problems.	D1.2.1 Draw logical conclusions about mathematical situations.	D1.3.1 Use informal deductive and inductive reasoning in both concrete and abstract contexts.	D1.4.1 Follow and evaluate an argument, judging its validity using inductive or deductive reasoning and logic.
D1.1.2 Find examples that support or refute mathematical statements.	D1.2.2 Given a rule or generalization, determine whether the example fits.	D1.3.2 State counterexamples to disprove statements.	D1.4.2 Make and test conjectures.
D1.1.3 Explain why a prediction, estimation, or solution is reasonable.	D1.2.3 Justify answers and mathematical strategies as reasonable.	D1.3.3 Justify and defend the validity of mathematical strategies and solutions using examples and counterexamples.	D1.4.3 Use methods of proofs including direct, indirect, and counterexamples, to validate conjectures.

MATHEMATICS PERFORMANCE STANDARDS

CONTENT STANDARD E: CONNECTIONS

Between ages 5-7, students:	**Between ages 8-10, students know and are able to do everything required at earlier ages and:**	**Between ages 11-14, students know and are able to do everything required at earlier ages and:**	**Between ages 15-18, students know and are able to do everything required at earlier ages and:**
E1.1.1 Apply mathematical skills and processes to literature.	E1.2.1 Apply mathematical processes to social studies.	E1.3.1 Apply mathematical skills and processes to science and humanities.	E1.4.1 Apply mathematical skills and processes to global issues.
E1.1.2 Apply mathematical skills and processes to situations with self and family.	E1.2.2 Apply mathematical skills and processes to situations with friends and school.	E1.3.2 Apply mathematical skills and processes to situations with peers and community.	E1.4.2 Describe how mathematics can be used in knowing how to prepare for careers.

READING PERFORMANCE STANDARDS

RELATIONSHIP TO ALASKA CONTENT STANDARDS FOR ENGLISH / LANGUAGE ARTS

The CONTENT STANDARDS FOR ALASKA STUDENTS were adopted by the Alaska State Board of Education in 1994 and 1995. The Reading Performance Standarts support the sections of the English/Language Arts Content Standards noted below. The Benchmark Assessments and High School Qualifying Examination will assess students' competencies on these performance standards.

B: A student should be a competent and thoughtful reader, listener, and viewer of literature, technical materials, and a variety of other information. A student who meets the content standard should:

1) comprehend meaning from written text and oral and visual information by applying a variety of reading, listening, and viewing strategies; these strategies include phonic, context, and vocabulary cues in reading, critical viewing, and active listening.;
2) reflect on, analyze, and evaluate a variety of oral, written, and visual information and experiences, including discussions, lectures, art, movies, television, technical materials, and literature; and,
3) relate what the student views, reads, and hears to practical purposes in the student's own life, to the world outside, and to other texts and experiences.

D: A student should be able to think logically and reflectively in order to present and explain positions based on relevant and reliable information. A student who meets the content standard should:

1) develop a position by
   A) reflecting on personal experience, prior knowledge, and new information,
   B) formulating and refining questions,
   C) identifying a variety of pertinent sources of information,
   D) analyzing and synthesizing information, and
   E) determining an author's purposes; and
2) evaluate the validity, objectivity, reliability, and quality of information read, heard, and seen.

E A student should understand and respect the perspectives of others in order to communicate effectively. A student who meets the content standard should:

1) use information, both oral and written, and literature of many types and cultures to understand self and others;
2) recognize content from the speaker's or author's perspective;
3) recognize bias in all forms of communication; and
4) recognize the communication styles of different cultures and the possible effects on others.

READING PERFORMANCE STANDARDS

Between ages 5-7, students: (To be assessed in 3rd Grade.)	**Between ages 8-10, students know and are able to do everything required at earlier ages and:** (To be assessed in 6th Grade.)	**Between ages 11-14, students know and are able to do everything required at earlier ages and:** (To be assessed in 8th Grade.)	**Between ages 15-18, students know and are able to do everything required at earlier ages and:** (High School Qualifying Exam)
R1.1a Distinguish, reproduce, and manipulate the sounds in words. R1.1b Use a combination of the following to read and comprehend text: • knowledge of phonics, alphabet, and alphabetic principle, e.g., recognition of letter shapes, letter names, letter/sound relationships, initial/final consonants, vowels, letter patterns; • pictures and visual cues; • sight recognition of high frequency vocabulary words; • word structure, e.g.,, root words, prefixes, suffixes, rhyming words; • language structure, e.g.,, word order, grammar; • meaning structure, e.g.,, prior knowledge and context; • text structure, e.g., read left to right.	R2.1a Use a combination of the following to read and comprehend text: • knowledge of phonetics, language structure, and semantics; • text structures such as illustrations, graphs, and headers; • self-monitoring and self-correcting strategies; • adjusting reading pace or style based on purpose, task, and type of text. R2.1b Use knowledge of word families, phonetics, context clues, visual cues, and structural elements to determine meaning of unfamiliar words.	R3.1 Apply knowledge of word origins, structure and context clues, and root words, and use dictionaries and glossaries, to determine the meaning of new words and to comprehend text.	R4.1 Apply knowledge of syntax, roots, and word origins, and use context clues and reference materials, to determine the meaning of new words and to comprehend text.

R1.2a Comprehend literal meaning from text. R1.2b Use a variety of strategies to support comprehension, including predicting, questioning, rereading, and monitoring own comprehension.	R2.2a Infer meaning from text.		
R1.3 Read texts aloud with expression, demonstrating knowledge of punctuation and other conventions of print.	R2.3 Read texts aloud with rhythm, flow, expression; and demonstrating knowledge of punctuation and other conventions of print.	R3.3 Rehearse and read texts aloud to an audience, in performances such as readers theater, reading to younger students or peers, or as part of formal presentations including research reports and literature responses.	

Between ages 5-7, students: (To be assessed in 3rd Grade)	**Between ages 8-10, students know and are able to do everything required at earlier ages and:** (To be assessed in 6th grade.)	**Between ages 11-14, students know and are able to do everything required at earlier ages and:** (To be assessed in 8th grade.)	**Between ages 15-18, students know and are able to do everything required at earlier ages and:** (High School Qualifying Exam)
R1.4a Retell or dramatize a story after reading it. R1.4b Restate information after reading a text.	R2.4a Retell stories in correct sequence. R2.4b Restate and summarize information or ideas from a text.	R3.4 Restate and summarize information or ideas from a text and connect new information or ideas to prior knowledge and experience.	R4.4 Summarize information or ideas from a text and make connections between summarized information or sets of ideas and related topics or information.
R1.5 Identify the main idea of a passage.	R2.5 Locate evidence in the text and from related experiences to support understanding of a main idea.	R3.5 Clarify and connect main ideas and concepts, identify their relationship to other sources and related topics, and provide supporting details.	R4.5a Identify and assess the validity, accuracy, and adequacy of evidence that supports an author's main ideas. R4.5b Critique the power, logic, reasonableness, and audience appeal of arguments advanced in public documents.
R1.6 Read and follow simple directions to complete a simple task.	R2.6 Read and follow multi-step directions to complete a simple task.	R3.6 Read and follow multi-step directions to complete a task, and identify the sequence prescribed.	R4.6 Read and follow multi-step directions to complete complex tasks.
R1.7 Distinguish between common forms of text (genres): • fiction and non-fiction, • prose and poetry, and • short story and drama	R2.7 Explain the characteristics of the following: • fiction and non-fiction, • prose and poetry, and • four major genres of fiction: short story, drama, novel, and poetry.	R3.7 Analyze basic rules (conventions) of the four genres of fiction (short story, drama, novel, and poetry).	R4.7 Analyze the rules (conventions) of the four genres of fiction (short story, drama, novel and poetry) and the techniques used in these genres, and evaluate the effects of these conventions and techniques on the audience.
R1.8 Identify and describe basic plot, main characters, and setting (time and place) in fiction.	R2.8a Define and identify plots, settings, and characters in fiction. R2.8b Compare and contrast plots, settings, and characters in a variety of works by a variety of authors.	R3.8 Analyze and evaluate narrative elements including plot, character, setting and point of view to determine their importance to the story.	R4.8 Analyze, and evaluate how authors use narrative elements and tone in fiction for specific purposes.

R1.9 Express own opinions about texts.	R2.9a Differentiate between fact and opinion. R2.9b Express opinions about a text and support these opinions with textual evidence.	R3.9a Differentiate between fact and opinion in text. R3.9b Analyze an author's purpose and offer a critical opinion of the effectiveness of the text in meeting that purpose.	R4.9 Express and support assertions with evidence from the text or experience about the effectiveness of a text.
R1.10 Make connections between a text and personal experiences, experiences of others, or other texts, and locate details in the text to illustrate these connections.	R2.10 Identify themes in texts and connect them to personal experiences, experiences of others, and other texts.	R3.10 Connect themes to personal experiences, experiences of others, and other texts, and locate evidence from texts to support or illustrate these connections.	R4.10 Analyze and evaluate themes across a variety of texts, using textual and experiential evidence.
R1.11 Identify basic cultural influences in texts.	R2.11 Connect cultural events, ideas, settings, and influences from one text to similar texts from other cultures.	R3.11 Compare and contrast how texts reflect historical and cultural influences.	R4.11 Analyze the effects of cultural and historical influences on texts.

WRITING PERFORMANCE STANDARDS

RELATIONSHIP TO ALASKA CONTENT STANDARDS FOR ENGLISH / LANGUAGE ARTS

The CONTENT STANDARDS FOR ALASKA STUDENTS were adopted by the Alaska State Board of Education in 1994 and 1995. The Writing Performance Standards support the sections of the English/Language Arts Content Standards noted below. The Benchmark Assessments and High School Qualifying Examination will assess students' competencies on the performance standards.

A: A student should be able to speak and write well for a variety of purposes and audiences. A student who meets the content standard should:

1) Apply elements of effective writing and speaking: these elements include ideas, organization, vocabulary, sentence structure, and personal style.
2) In writing demonstrate skills in sentence and paragraph structure, including grammar, spelling, capitalization, and punctuation.
4) Write and speak well to inform, to describe, to entertain, to persuade, and to clarify thinking in a variety of formats, including technical communication.
5) Revise, edit, and publish the student's own writing as appropriate.
8) Evaluate the student's own speaking and writing and that of others using high standards.

D. A student should be able to think logically and reflectively in order to present and explain positions based on relevant and reliable information. A student who meets the content standard should:

1) develop a position by
    A) reflecting on personal experiences, prior knowledge, and new information;
    B) formulating and refining questions;
    C) identifying a variety of pertinent sources of information;
    D) analyzing and synthesizing information; and
    E) determining an author's purpose.
2) evaluate the validity, objectivity, reliability, and quality of information read, heard and seen.
3) give credit and cite references as appropriate.
4) explain and defend a position orally, in writing, and with visual aids as appropriate.

WRITING PERFORMANCE STANDARDS

Between ages 5-7, students: (To be assessed in 3rd Grade.)	**Between ages 8-10, students know and are able to do everything required at earlier ages and:** (To be assessed in 6th Grade.)	**Between ages 11-14, students know and are able to do everything required at earlier ages and:** (To be assessed in 8th Grade.)	**Between ages 15-18, students know and are able to do everything required at earlier ages and:** (High School Qualifying Exam)
W1.1a Write complete sentences with a subject and a predicate. W1.1b Write a paragraph with a topic sentence and supporting details. W1.1c Write short stories or compositions with a beginning, middle, and end.	W2.1 Write a well organized two-paragraph composition that addresses a single topic.	W3.1 Write a coherent composition that includes a thesis statement, supporting evidence, and a conclusion.	W4.1 Write a coherent composition with a thesis statement that is supported with evidence, well-developed paragraphs, transitions, and a conclusion.
W1.2 Write for a specific audience, including self, other children, parents, and other adults.	W2.2 Use a variety of fiction and non-fiction forms when writing for different audiences.	W3.2 Select and use appropriate forms of fiction and non-fiction to achieve different purposes when writing for different audiences.	W4.2 Demonstrate understanding of elements of discourse (purpose, speaker, audience, form) when completing expressive (creative, narrative, descriptive), persuasive, research-based, informational, or analytic writing assignments.
W1.3a. Use a variety of simple sentence structures, and basic rules of punctuation and capitalization in written work. W1.1.3b Proofread writing for legibility, spelling, capitalization, and punctuation when producing final drafts.	W2.3a Use a variety of simple and complex sentence structures in written work. W1.2.3b Proofread and correct grammar, sentence structure, paragraph structure, punctuation, capitalization, spelling, and usage in finished written work.	W3.3 Use the conventions of standard English including grammar, sentence structure, paragraph structure, punctuation, spelling, and usage in written work.	W4.3 Use the conventions of standard English independently and consistently including grammar, sentence structure, paragraph structure, punctuation, spelling, and usage.
1.4a Revise writing for detail and clarity. W1.4b Provide appropriate feedback to peers about written work.	W2.4a Revise writing to improve the logical progression of ideas and supporting information. W2.4b Revise own and others' work and provide appropriate feedback to peers based upon established criteria, to improve quality and effectiveness of writing.	W3.4a Revise writing to improve organization, word choice, paragraph development, and voice appropriate to the purpose. W3.4b Form and explain own standards or judgements of quality writing.	W4.4 Revise writing to improve style, word choice, sentence variety, and subtlety of meaning in relation to the purpose and audience.

W1.5 List titles and authors of books and other materials when used as references in written work.	W2.5. Give credit for others' ideas, images, and information by citing information about sources, including title and author.	W3.5 List and document sources using a given format.	W4.5 Cite sources of information using a standard method of documentation.
	W2.6 Use resources such as computers, word processing software, dictionaries, and thesauruses to make choices when writing.	W3.6 Compose and edit a composition with a word processing program.	

APPENDIX E

PROCEDURAL SAFEGUARDS AND CONFIDENTIALITY FORMS

1. Prior Written Notice
2. Prior Written Notice, Informed Consent, and Notice of Procedural Safeguards Table and Explanation
3. Notice of Procedural Safeguards
4. Model Surrogate Parent Plan
    - Surrogate Invitation
    - Surrogate List
    - Training Session Agenda
    - Notice of Appointment
    - Notice of End of Appointment
5. Record of Access Form
6. Authorization for Release of Confidential Information
7. Sample Letter of Intent to Destroy Special Education Records

Prior Written Notice

Student's Legal Name ______________________ Birthdate ______________

Dear ______________________ Date ______________

The purpose of this letter is to notify you of the district's proposal to make a change, or the refusal to make a change, in your child's educational program. The details of the proposed action are indicated below.

Description of the proposed or refused action
Reason for proposed action
Description of evaluation procedure, test, record or report used in deciding to propose or refuse action
Description of other options considered, if any, and reason for rejecting them
Other factors that are relevant to the proposal or refusal

As a parent of a student with a disability, you have specific rights or procedural safeguards. A copy of those rights may be obtained from me or another school district representative. If you need an explanation of your rights or have any questions regarding this notice, please contact me at:

______________________ ______________________ ______________

Signature of District Personnel Title Phone

For further assistance in understanding parent rights you may contact:

P.A.R.E.N.T.S., Inc.
4743 E. Northern Lights Blvd.
Anchorage, AK 99508
Toll-Free in Alaska: 1-800-478-7678
Fax (907) 337-7671
E-mail: parents@alaska.net

Disability Law Center
615 E 82nd Ave. Suite 101
Anchorage, AK 99518-3158
(907) 344-1002
Fax (907) 349-1002
1-(800) 478-1234

Alaska Department of Education &
Early Development
801 W 10th Street, Suite 200
Juneau, AK 99801
(907) 465-8693
Fax (907) 465-2806
Phone/TDD (907) 465-2800

Prior Written Notice, Informed Consent, and Notice of Procedural Safeguards

		Notice of Procedural Safeguards (PS)	
Steps in the Special Education Process	**Action Required**	**Copy of PS**	**PS Statement on Form***
Initial referral	Verbal or written notification	X	
Initial evaluation	Prior Written Notice Informed Consent		X
Refusal to evaluate	Prior Written Notice		X
Student found ineligible for special education services	Prior Written Notice		X
IEP meeting	Notification	X	
Initial placement	Prior Written Notice Informed Consent		X
Reevaluation without further assessments conducted	Verbal or written notification		
Reevaluation with assessments conducted	Prior Written Notice Informed Consent	X	
District accepts out-of-district IEP and eligibility category	Prior Written Notice		X
Change of Placement	Prior Written Notice		X
Change in the type and amount of services	Prior Written Notice		X
Change in the IEP	Prior Written Notice		X
Exit from special education (including graduation)	Prior Written Notice		X
District refuses services requested by parent	Prior Written Notice		X
District proposes/refuses to change disability category	Prior Written Notice		X
District changes or destroys information in district files that personally identifies a child	Prior Written Notice		X
Transfer of parental rights (at least by 17-years of age)	Verbal or written notification		
Request for due process hearing		X	
Discipline	Verbal or written notification	X	

* For those actions that require Prior Written Notice, but DO NOT require provision of a copy of the Procedural Safeguards, the following statements must be included on the Prior Written Notice form:

1. A statement of the parents' protection under the Procedural Safeguards and a means by which a copy can be obtained, AND
2. Sources for parents to contact to obtain assistance in understanding the provisions of the Procedural Safeguards.

Adapted from the Missouri Department of Elementary and Secondary Education, Division of Special Education, Technical Assistance Bulletin, November, 1998.

Prior Written Notice, Informed Consent, and Notice of Procedural Safeguards

Prior Written Notice

What does the IDEA 97 require?

The IDEA 97 requires that a district provide the parent with a Prior Written Notice any time the district proposes or refuses to initiate or change the identification, evaluation, educational placement or FAPE to a student. Actions by districts that require a Prior Written Notice include:

1. **Initial Evaluation**

   Prior written notice must be provided to the parent and written informed consent received from the parent prior to conducting any assessments as part of an initial evaluation. A description of any evaluation procedures the district proposes to conduct must also be provided to the parent (if the notice relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requires parent consent.)

2. **Initial Placement**

   Prior written notice must be provided to the parent and written informed consent received from the parent prior to the initial placement of a student in special education.

3. **Reevaluation**

   Prior written notice must be provided to a parent prior to conducting any tests/assessments as part of a reevaluation of a student with disabilities, unless the district has provided notice and made reasonable attempts to obtain consent and the parent has failed to respond. A description of any evaluation procedures the district proposes to conduct must be provided.

4. **Change of Placement**

   Prior written notice must be provided whenever the IEP Team determines that a change of placement is necessary.

5. **Action Refused**

Any time the district refuses the request of a parent to initiate or change the identification, evaluation, educational placement, or the provision of FAPE, the district must provide Prior Written Notice. Some examples of when this might occur are parental request for evaluation or reevaluation; parental request for a specific related service or program modification; parental request to change the placement.; parental request to change eligibility.

6. **Ineligibility**

Prior written notice must be provided when a district evaluates a child and determines them to be ineligible for services under the IDEA 97.

7. **Transfers from out of state or out of district**

Upon the enrollment of a student with an existing IEP from another district or state, the district must provide Prior Written Notice to inform the parent whether it accepts the IEP and the eligibility determination.

8. **Change in the IEP**

Prior written notice must be provided following any change in the IEP. This includes following an annual IEP meeting in which the parents are in attendance.

9. **Change in eligibility category**

Prior written notice must be provided when a district intends to change the student's eligibility category.

10. **Changes to district files**

Prior written notice must be provided before the district changes or destroys information in district files that personally identifies a child.

11. **Exit from special education**

Prior written notice must be provided when special education services will end (including graduation).

Informed Consent

What does the IDEA 97 require?

The IDEA 97 requires that informed parent consent must be obtained before the district:

1. Conducts an initial evaluation
2. Conducts a reevaluation.
3. Initially places the child in a special education program.
4. Releases any personally identifiable information about the child to any person or agency not entitled by law to see it.

Consent means:

1. That the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought.
2. The parent understands and agrees in writing (the parent's signature on the consent form) to carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists any records that will be released and to whom.
3. The parent understands that the granting of consent is voluntary and may be revoked prior to the action requiring consent transpiring. However, once the evaluation has been completed, a parent may not revoke consent to revert the child to a previous status or have the evaluation disregarded.

Parental consent is **NOT** required before

1. Reviewing existing data as part of an evaluation or reevaluation
2. Administering a test or other evaluation that is administered to all children, unless consent is required of parents of all children.

Notice of Procedural Safeguards

What does the IDEA 97 require?

The IDEA 97 requires that a copy of the Notice of Procedural Safeguards be provided at a minimum upon:

1. **Initial referral for evaluation**

   At the point of referral, the district must provide to the parent a copy of the Notice of Procedural Safeguards. For a parent referral, it is the date that the district received either the verbal or written request from the parent to conduct an evaluation. For a district referral, it is the date that the screening/review team made the decision that an evaluation should be conducted.

2. **Each notification of an IEP meeting**

   A copy of the Notice of Procedural Safeguards must accompany each notification of an IEP meeting (whether written or verbal notification).

3. **Reevaluation of the child**

   When the IEP team has made a determination that assessments need to be conducted in order to gather data as part of a child's reevaluation, a copy of the Notice of Procedural Safeguards must accompany the prior written notice and consent to evaluate.

4. **Discipline**

   A copy of the Notice of Procedural Safeguards must accompany each notification of a disciplinary action.

5. **Request for due process hearing**

   Whenever a parent files a request for a due process hearing, a copy of the Notice of Procedural Safeguards must be provided.

Notifications

What does the IDEA 97 require?

A district is required to notify parents of actions it is taking. Like a Prior Written Notice, these notifications have certain statements and information that they must contain and they must be provided to the parent prior to the district taking any action. However, unlike Prior Written Notice, not all of these notifications must be in writing. Districts must document any notifications given verbally. As with Prior Written Notices, some notifications require that the Notice of Procedural Safeguards accompany them, and some do not. Notifications must be given under the following circumstances:

1. **Notification that no assessments are required as part of the reevaluation**

If the IEP team determines that no assessments need to be conducted to complete the reevaluation, the district must notify the parent of this decision. The notification that no further assessments are necessary must include:

- what the determination was and the reasons for it, and
- the right of parents to request an assessment to determine whether the child continues to be a child with a disability.

The notification may be provided either verbally or in writing and does not have to be accompanied by the Notice of Procedural Safeguards.

2. **Notification of an IEP meeting**

Districts must take steps to ensure that one or both parents are present at each IEP meeting or are afforded the opportunity to participate. This requires that the district:

- notify the parents of the IEP meeting early enough to ensure that they have an opportunity to attend.
- schedule the meeting at a mutually agreed upon time and place.

This notification may be provided either verbally or in writing. In either case, the required components are the same and must be either accompanied by, or followed up with, a copy of the Notice of Procedural Safeguards.

All IEP meeting notifications must contain the following

- Purpose of the meeting
- Time, date, and location of the meeting.
- Who will be attending the meeting.

3. **Notification of Transfer of Rights**

One year prior to the student's 18th birthday, the district must notify both the student and the parents of the Parental Rights under Part B which will transfer to the student upon reaching the age of majority.

Adapted from the Missouri Department of Elementary and Secondary Education, Division of Special Education, Technical Assistance Bulletin, November, 1998.

ALASKA DEPARTMENT OF EDUCATION &
EARLY DEVELOPMENT

NOTICE OF PROCEDURAL SAFEGUARDS

PARENTAL RIGHTS FOR SPECIAL EDUCATION

Office of Special Education Programs
801 West 10th Street, Suite 200
Juneau, AK 99801-1894
www.eed.state.ak.us/tls/sped/

(907) 465-8693
(907) 465-2800 v/tty
(907) 465-2806 FAX

September 1999

Dear Parents:

This booklet describes rights and procedural safeguards under Alaska law and regulations and the federal Individuals with Disabilities Education Act (IDEA), PL 105-17, and the corresponding regulations. If your child is not currently receiving special education services, you have been given this brochure either because you asked that your child receive special services or the district believes that special education services may be necessary. If your child is already receiving special education services, this booklet is being provided because an activity is being proposed or has occurred that requires that parents be given a complete explanation of the procedural safeguards under the IDEA 97.

This information is important to you and your child. As a parent of a child with a suspected or identified disability, it is important that you are active in helping shape decisions regarding your child's educational program. Please review and study the information contained in this booklet. You may want to talk with others about this information. I encourage you to speak with your child's teacher or teachers, the building principal, or a special education administrator in your district. At the end of this booklet is a list of some other resources in Alaska whom you may also contact.

When you have a concern, I encourage you to call or contact your child's teachers or administrators in your child's district to talk about your child and any problems you see. This informal conversation frequently solves the problem and helps maintain open communication.

All of us are working together to design an educational program that meets your child's unique needs. An active role in your child's education is important. Your voice added to the cooperative efforts of school district personnel, community agencies, and others will help secure for every Alaskan child with a disability the promise of a free appropriate public education.

Sincerely,

PJ Ford Slack

PJ Ford Slack, Ph.D.
State Director of Special Education
Alaska Department of Education & Early Development

TABLE OF CONTENTS

Introduction 1

For More Information 1

Parent Participation 1

Parent Consent 2

Prior Written Notice 2

Reevaluation 3

Access to Educational Records 4

Independent Educational Evaluations 5

Opportunity to Present Complaints 6

School Discipline and Placement In Interim Alternative Setting 10

Children Attending Private Schools 12

Other Resources 14

Appendix

Notice of Request for Due Process Hearing

CHILDREN WITH DISABILITIES UNDER SECTION 504

Some children may have a disability that affects a major life activity but does not fit into one of the categories of disability under the Individuals with Disabilities Education Act (IDEA). These children may be protected by a different federal law--Section 504 of the Rehabilitation Act of 1973. The rights of "504 only" children and their parents are in some ways similar and in some ways different from the procedural safeguards described in this booklet. For more information about Section 504, contact your school district's Section 504 coordinator.

INTRODUCTION

This booklet provides parents [1] of children with disabilities from age 3 through age 21 an overview of their educational rights, sometimes called **procedural safeguards.** This booklet is your **Notice of Procedural Safeguards.**

This Notice of Procedural Safeguards must be given to you when you ask for a copy and:

- the first time your child is referred for a special education evaluation;
- each time an individualized education program (IEP) meeting is scheduled for your child;
- each time your child is reevaluated;
- if you request a due process hearing;
- if the school district takes disciplinary action involving a change in placement; or,
- if the school district places your child in an interim alternative educational setting for up to 45 days for certain drug and weapons-related misconduct.

Some of the information in this booklet is new due to recent changes in the **Individuals with Disabilities Education Act** (IDEA). The IDEA is a federal special education law that requires school districts to provide a free appropriate public education to eligible children with disabilities. A free appropriate public education means special education and related services, described in an IEP, and provided to children in the least restrictive environment. The IDEA also includes the procedural safeguards in this booklet.

FOR MORE INFORMATION

Your local school district is the first stop for more information. There are a number of people in the school district who can answer questions about your child's education. You may contact your child's general or special education teacher or the school principal. You can also contact the special education administrator for your school district. Other resources are listed at the end of this booklet.

PARENT PARTICIPATION

Your participation is valuable. You will be given opportunities to participate in meetings about identification, evaluation, eligibility, educational placement of your child, and other matters relating to your child's free appropriate public education (FAPE). This includes the right to participate in meetings to develop your child's IEP.

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[1] The term parent means a parent, a guardian, a person acting as a parent, or a person appointed as a surrogate parent.

PARENT CONSENT

The First Evaluation. The school district must have your informed written consent before it can evaluate your child. The school district must inform you about the evaluations to be used with your child. The evaluation must include a variety of tools and strategies, including information you provide.

Reevaluation. The school district must have your informed written consent before reevaluating your child. However, the school district may reevaluate your child without your written consent if the school district can demonstrate that it has taken reasonable measures to get your consent and you have not responded. If you refuse consent you must clearly inform appropriate school staff of your refusal, preferably in writing.

Initial Placement in Special Education. You must give your informed written consent before the school district can initially place your child in a special education program.

Exchange of Information. Your informed consent is required before the district releases any personally identifiable information about your child to any person or agency not otherwise entitled by law to see it.

Refusal or Revoking Consent. You can refuse consent for an evaluation, a reevaluation, or the initial placement of your child in special education. Your consent may be revoked if the action for which consent was given has not already taken place. The school district may seek to evaluate or place your child in special education through a due process hearing, if it believes it is necessary for your child in order to receive a free appropriate public education. You and the school district may agree to first try mediation to resolve your disagreements.

PRIOR WRITTEN NOTICE

In addition to being a participant in decision-making, you have the right to prior written notice from the school district after important decisions are made that affect your child's special education but before those decisions are put into place. These include decisions to:

- identify your child as a child with a disability, or change your child's eligibility from one disability to another;
- evaluate or reevaluate your child;
- develop an IEP for your child, or change your child's IEP; or,

- place your child in a special education program, or change your child's special education placement;
- change or destroy information in district files that personally identifies your child;
- determine whether your child's disability was the reason for misbehavior that requires disciplinary action resulting in a change of placement; or
- cease all special education programming (including graduation).

You also have the right to prior written notice from the school district when the district refuses your request to:

- identify your child as a child with a disability, or change your child's eligibility from one disability to another;
- evaluate or reevaluate your child;
- develop an IEP for your child, or change your child's IEP; or,
- place your child in a special education program, or change your child's special education placement.

Prior written notice must include:

- a description of the action proposed or refused by the school district;
- an explanation of why the district proposes or refuses to take action;
- a description of any other options the district considered and the reasons why those options were rejected;
- a description of each evaluation procedure, test, record or report used as a basis for the action proposed or refused;
- a description of any other factors relevant to the action proposed or refused;
- a statement that parents of a child with a disability are protected by the procedural safeguards described in this booklet and if the notice is not for an initial referral, a statement of how to get of copy of this *Notice of Procedural Safeguards* booklet; and
- sources for you to contact to get help in understanding these procedural safeguards.

The notice must be written in language understandable to the general public. If you have trouble understanding this or any other document, please ask your local school personnel to explain any terms or procedures that remain unclear.

Prior written notice must be provided in your native language unless it is clearly not feasible to do so, in which case, the district must communicate the information to you in some other way. An interpreter may be provided for parents with limited English proficiency who speak another language. If a parent is deaf, blind or has no written language, the district must assure that the content of the notice is provided in the mode normally used (such as sign language, Braille or oral communication).

If you disagree with a proposed action after receiving notice, you should call your child's principal or the district special education administrator to discuss the matter. If you are unable to come to an agreement, you have the right to a due process hearing by an impartial third party. (Due process hearings are discussed in more detail later in this document.) If, within 10 days of receiving the written notice, you file a written objection to the proposed action, the change cannot occur, pending the results of the due process hearing.

REEVALUATION

Your child must be re-tested (reevaluated) when conditions warrant, if you or your child's teacher requests a reevaluation, but at least once every three years. If the IEP team determines that no additional data are needed to determine whether your child continues to have a disability or continues to need special, the school district must notify you of that decision and the reasons for it. Under these circumstances, the school district is not required to do an assessment of your child. However, you still have the right to request that the district conduct an assessment to determine whether your child continues to be eligible for special education.

ACCESS TO EDUCATIONAL RECORDS

The IDEA and the Family Education Rights and Privacy Act (FERPA) contain provisions which protect the confidentiality of student records. These laws also provide parents the right to review and inspect records. The district will assume that each parent has the right to inspect and review their child's educational records unless the district has received legal documents limiting parent access to those records.

The district maintains a list of the types and locations of educational records used by the school district. A record is maintained in your child's record of persons, other than yourself and authorized school district personnel, who have examined the records, the date access was given and the purpose for which the person was authorized to use the records.

You have the right to inspect and review all of your child's education records:

- without unnecessary delay;
- before any meeting about your child's IEP;
- before any due process hearing related to your child; and, in any case,

- within 45 days of your request.

The right of inspection includes:
- an explanation and interpretation of the records by school district personnel;
- the right of the district to charge a fee for copies of records that are made for you if the fee does not effectively prevent you from exercising your rights to inspect and review those records; and
- the right to have your child's records inspected and reviewed by a representative of your choosing.

Requests to look at your child's records should typically be made to the building principal or to the special education administrator for your school district.

Changing Information in a Record. After reviewing your child's educational records, you may ask the school district to change any information you believe is inaccurate or misleading or violates your child's privacy or other rights. The district will make those changes or reject your request within a reasonable period of time. If your request is rejected, the district must inform you of the rejection and that you have a right to a hearing.

Following the hearing, the following steps will be taken:
- If the hearing decision is that the record is incorrect, misleading, or violates your child's privacy or other rights, the district will amend the record accordingly, and will inform you in writing.
- If the hearing decision is to not amend the record, you may place a statement in the records stating why you do not agree with the district's record. The district as part of your child's records will maintain this statement. Any time your child's records are released, this statement will be part of the records.

Disclosure of Records. Your consent must be obtained before allowing information to be used for a purpose other than which it was collected or before disclosing personally identifiable information about your child to anyone not entitled to see it. You can see the names and positions of school district employees entitled to see personally identifiable information about your child at the location where the files are maintained.

Destruction of Records. The school district must maintain educational records until no longer needed to provide educational services, but not fewer than five years.

If personally identifiable information collected, maintained, or used is no longer needed by the district, that information may be destroyed. The district will make reasonable efforts to notify you and offer a copy of the record to be destroyed. A reasonable effort would be written correspondence to the last known address of the parent.

INDEPENDENT EDUCATIONAL EVALUATIONS

An independent educational evaluation is an evaluation by a qualified examiner who is not an employee of the school district responsible for your child. You may ask for an independent educational evaluation at school district expense if you disagree with an evaluation completed by the school district.

The school district must respond to your request within a reasonable time. If the school district believes that its evaluation is appropriate, it may request a due process hearing. If the school district shows at a hearing that its evaluation is appropriate, the school district will not have to pay for an independent educational evaluation. You may still get an independent educational evaluation at your own expense.

School districts must maintain a list of public and private agencies qualified to conduct independent educational evaluations. This list is available on request. Typically, requests for this list should be made to your school district's special education administrator. Independent evaluators must have the same qualifications, use the same criteria for evaluations, and conduct the evaluation in a similar setting as district evaluators.

The results of independent educational evaluations (whether conducted at district or parent expense) must be considered by the school district when taking further action regarding your child with respect to the provision of a free appropriate public education. These evaluations may be considered as evidence in a due process hearing.

A hearing officer may also order an independent educational evaluation of your child at school district expense during due process hearing proceedings.

OPPORTUNITY TO PRESENT COMPLAINTS

If you have concerns about your child's special education services, the first step is to talk to your child's regular or special education teacher, the building principal or the school district's special education administrator. It helps to deal with concerns when they first arise so steps can be taken as soon as possible to support the working relationship among parents, staff, and children. If the concerns are not resolved, you can take further steps to address them, including a written complaint to the Alaska Department of Education and Early Development (AK EED), mediation, and/or requesting a due process hearing.

Written Complaint

If you believe the school district has violated the IDEA or state regulations, you may file a written complaint with AK EED. Complaints must allege violations that occurred not more than one year prior to the filing of the complaint, unless the violation is continuing or you are requesting compensatory services for a violation that occurred not more than three years ago.

This complaint must describe the problem(s), include your name and contact information, and give specific facts about the problem(s). Your complaint should be sent to:

Alaska Department of Education & Early Development
Offie of Special Education Programs
801 West 10th Street, Ste. 200
Juneau, AK 99801-1894

If you file a written complaint of this type, the department will assign a complaint investigator who must complete the investigation within 60 days. You will be given the opportunity to submit additional information, either orally or in writing about the allegations in the complaint. A written report will be issued to you and the district that addresses each allegation in the complaint and will contain findings of fact, conclusions of law and the reasons for the final decision. As appropriate, technical assistance activities or corrective actions may be assigned in order to achieve compliance with IDEA or state regulations.

Mediation

Mediation is a voluntary process that brings together an impartial mediator and the parties to a dispute in an attempt to resolve the disagreement through a structured, yet informal meeting. Qualified mediators are trained in mediation techniques and are knowledgeable about special education laws and regulations. Sessions are scheduled at times and in places convenient to the parties. Any agreement reached through mediation will be set forth in a written agreement. Discussions that occur during the mediation process are confidential and may not be used as evidence in subsequent due process hearings or in court proceedings. The parties may be required to sign a confidentiality pledge prior to beginning the mediation process.

You are encouraged to request mediation whenever a dispute arises in the IEP process. Mediation is an alternative, but not a prerequisite to a due process hearing or the filing of a written complaint. If you request a due process hearing, the district must offer mediation. However, mediation cannot be used to delay the right to a due process hearing or the 45-day timeline established for hearings, although both parties may request the hearing officer to postpone the hearing, pending mediation efforts.

A telephone or written request for mediation should be made to:

Alaska Special Education Mediation Services
Phone Toll Free: 1-800-580-2209
Fax: 1-907-789-0141

Due Process Hearing

To resolve disputes between parents and school districts, both parties have the right to impartial due process and review hearings. A due process hearing may be requested by you or by a student who is at least 18 years old but less than 22 years old. A hearing can be sought because of a disagreement concerning certain aspects of the student's educational program – that is, if the district proposes or refuses to initiate or change the identification, evaluation or educational placement of your child or the provision of a free appropriate public education. The request for a due process hearing must be made in writing to the district special education administrator or superintendent. A model form is included in this booklet. The form is also available from the district special education administrator or from the AK EED.

Your hearing request must include:

- your child's name and address and the name of the school that your child is attending;
- a description of the problem, including specific facts about the problem; and
- any suggestions you have for solving the problem, to the extent known at the time.

Following are some of the reasons you might seek a hearing:

1. The district refuses to identify, evaluate or appropriately serve your child.
2. You disagree with a proposed IEP.
3. You object to termination of your child's special education program.
4. You believe the district's proposed placement will not meet your child's needs as set forth in the IEP.

5. You believe a placement is not in the least restrictive environment necessary to meet your child's needs.
6. You disagree with a proposed change of placement.
7. You disagree with the decision about the relationship between your child's disability and the behavior that resulted in disciplinary action.
8. You disagree with the intent to graduate your child.

A school district also may request a due process hearing when a parent refuses consent for evaluation or placement or to demonstrate that the school district has conducted an appropriate evaluation and/or offered a free appropriate public education.

A person known as an impartial hearing officer conducts the hearing. This person has knowledge of the law pertaining to children with disabilities and has received training on conducting a due process hearing. The hearing officer will be appointed from a list maintained AK EED. In Alaska, a hearing officer may not be appointed unless you have approved, in writing, the selection of the hearing officer. If, however, you have been offered and have rejected three different hearing officers, then the district may go forward with the selection. A hearing officer cannot be an employee of the AK EED or the school district involved in the education or care of your child. The due process hearing and any oral argument will be conducted at a time and place that is convenient to you and your child, who may be present. The hearing officer will open the hearing to the public at your request; otherwise the hearing is closed to the public.

A party to a hearing has certain rights, including:

- the right to be accompanied and advised by an attorney;
- the right to bring one or more individuals who have knowledge or training about children with disabilities;
- the right to present evidence and confront, cross-examine, and require witnesses to be present;
- the right to prohibit the introduction of any evidence that was not disclosed at least five days prior to the hearing;
- the right to a written, or, at the option of the parents, an electronic verbatim record of the hearing; and,
- the right to written, or, at the option of the parents, electronic findings of fact and decisions.

The hearing must be conducted and a copy of the hearing officer's decision must be mailed to both parties no more than 45 days after the hearing was requested. However, this date may be delayed if the hearing officer has granted a specific extension of time following the request of either party. The hearing officer must reach a decision and provide a copy of a written, or at your option, electronic findings of fact and decisions to each of the parties. A copy of the final order will be submitted to the AK EED. The state department, after removing any personally identifiable information, will transmit the findings and decision to the Governor's Council on Disabilities and Special Education. The decision is a public record. In the absence of action by either party, the due process hearing decision is final.

Disclosure of Evidence before Hearing. At least five business days before the hearing, each party is required to disclose to the other any evidence it intends to introduce at the hearing; either party can prohibit the use of any evidence that is not so disclosed. At least five business days before a hearing, school districts and parents must disclose to each other all evaluations of the student completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. A hearing officer may bar any party that fails to comply with this rule from introducing the undisclosed evaluations or recommendations at the hearing without the consent of the other party.

Child's Placement During Proceedings. During the process of hearing, appeal or judicial review, your child remains in his or her current educational placement. This "stay put" rule applies unless:

- You and the school district agree to another placement;
- Your child is applying for initial admission to a public school and you consent to your child's placement in the public school program; or
- School personnel or a hearing officer removes your child to an interim alternative educational setting. (See information regarding alternative educational settings under the School Discipline section of this document.)

Appeals. A hearing officer's decision is final and binding on you and the district. However, if you or the district is dissatisfied with the hearing officer's decision, an appeal may be filed with AK EED. The notice of appeal must be filed within 30 days of the decision. The department will then conduct an impartial review of the hearing. The officer conducting the review will:

- examine the entire hearing record;
- ensure that the hearing was conducted properly;
- seek more evidence if necessary;
- give the parties an opportunity for oral or written argument; and
- make an independent decision.

Written findings of the review officer will be given to both parties.

Civil Actions. The decision by the review officer is final unless you or the district appeals the decision to the appropriate state or federal court. Appellate Rule 602 requires that the appeal be made within 30 days of the final order. If you file a civil action, the court must:

- receive the record of the hearing;
- hear additional evidence at the request of a party;
- base its decision on the preponderance of the evidence; and,
- grant such relief as the court determines is appropriate.

Attorney Fees. If you are represented by an attorney and you substantially prevail in any hearings or lawsuit, you may be entitled to recover your attorney's fees from the school district. You can substantially prevail without obtaining all the relief that you wanted from the district. However, whether you are entitled to attorney's fees can be a difficult determination and must be made by a court; not by the hearing or review officers.

Attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to you by the district if:

- the offer is made at least 10 days before an administrative or civil proceeding begins; and
- you do not accept the offer within 10 days after it was made; and
- a court or administrative hearing officer finds that the relief you finally obtained from the hearing officer or court action was not more favorable to you than the offer of settlement.

Attorneys' fees may not be awarded:

- to you for legal representation at an IEP meeting unless such a meeting is convened as a result of an order by a hearing officer or by judicial action; or
- for a mediation that is conducted prior to a request for a due process hearing.

A court may reduce an award for attorneys' fees if:

- you, during the course of the action or proceeding, unreasonably extended the final resolution of the controversy;
- the amount of the request unreasonably exceeds the prevailing rate in the community for similar services by attorneys of reasonably comparable skills, reputation and experience;
- the time spent and legal services rendered were excessive considering the nature of the action; or
- the attorney representing you did not provide all of the information required in a due process hearing request.

SCHOOL DISCIPLINE AND PLACEMENT IN INTERIM ALTERNATIVE EDUCATIONAL SETTING

Short Term. Short-term removals are removals of up to 10 school days - at one time or combined in a school year. School personnel may use short-term removals, including suspension, moving your child to an appropriate interim alternative educational setting or putting your child in another setting, to the same extent these options would be used with children without disabilities.

Longer Removals. Longer removals include suspensions and expulsions that add up to more than 10 days in a school year. School districts cannot take this kind of action for misconduct that is a manifestation of the student's disability. If school staff is considering a longer removal, the district must convene the IEP team, of which you are a member, to conduct a review of the relationship between your child's disability and the behavior that resulted in the disciplinary action. This is called a "manifestation determination." This meeting must take place immediately, if possible, or within 10 days of the school district's decision to take this type of disciplinary action.

Manifestation Determination. The IEP team determines whether the misconduct is a manifestation of your child's disability. You will be invited to participate as a member of this team. The IEP team may determine that the behavior was **not** a manifestation if the IEP team:

- reviews all relevant information, including:
  - ◊ test results, and any independent educational evaluations;
  - ◊ information provided by the parents;
  - ◊ observations of the child; and,
  - ◊ the child's IEP and placement;

- and determines that, in light of the misconduct:
  - ◊ your child's IEP and placement were appropriate;
  - ◊ the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with your child's IEP and placement; and
  - ◊ your child's disability did not impair the ability to understand the impact and consequences of the misconduct; and,
  - ◊ your child's disability did not impair the ability to control the misconduct.

If the IEP team concludes that the misconduct was **not** a manifestation of your child's disability:

- The school district may take disciplinary action, such as expulsion, in the same manner as it would for children without disabilities;
- If an expulsion hearing is required, the school district must make sure that the special education and disciplinary records of your child are provided to the expulsion hearing officer; and,
- The school district must continue to provide a free appropriate public education to your child consistent with the child's individual needs.

If you disagree with the IEP team's decision, you can request an expedited due process hearing.

If you request a hearing regarding a disciplinary action to challenge the interim alternative educational setting or the manifestation determination, your child shall remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the interim alternative educational placement time line, unless you and the district agree otherwise.

If the time line for the interim alternative educational placement expires during the hearing, your child shall return to his or her placement prior to the interim alternative educational setting. However, if school personnel maintain that it is dangerous for your child to return to that placement, the school district may request an expedited hearing to ask a hearing officer to order your child to continue in an alternative educational setting.

Behavior Intervention Plan (BIP). Either before or within 10 days of taking a disciplinary action that results in removal of your child from the current educational placement, the school district must take certain actions. If, before the behavior that resulted in the suspension, the district had not conducted a functional behavioral assessment and implemented a behavior intervention plan, the district must convene an IEP meeting to develop an assessment plan to address the misconduct. If the student already had a behavior intervention plan, an IEP team must review and modify the plan, as necessary, to address the behavior.

Weapon and Drug-Related Misconduct. School personnel may move a child to an interim alternative educational setting for 45 days if:

- the child carries a weapon to school or to a school function; or,
- the child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function;
- the student is determined dangerous in an expedited due process hearing; and
- the interim alternative educational setting meets the requirements listed below.

Removal by a Hearing Officer. A hearing officer may move a child to an interim alternative educational setting if:

- the district demonstrates by substantial evidence that maintaining the child in the current educational placement would be substantially likely to cause injury to the child or others;
- the public agency has made reasonable efforts to minimize the risk of harm in the current placement;
- the hearing officer considers the appropriateness of the current educational placement; and
- the hearing officer determines that the interim alternative educational setting meets the requirements listed below.

Interim Alternative Educational Setting (IAES). If school personnel place your child in an interim alternative educational setting for violation of school rules, you must be notified of the disciplinary action to be taken, and receive a copy of this *Notice of Procedural Safeguards* no later than the date on which the decision to take disciplinary action is made or a placement change is implemented, whichever comes first.

Any interim alternative educational setting must:

- Allow your child to continue to participate in the general curriculum, although in a different setting;
- Allow your child to continue to receive services and modifications, including those described in your child's IEP, to enable your child to meet IEP goals; and,
- Include services and modifications designed to address the child's behavior that resulted in the disciplinary action so that it does not recur.

The specific interim alternative educational setting must be determined by the child's IEP team, including parents. The IEP meeting must occur either before, or within 10 days after, any disciplinary placement change is made. The purpose of the meeting is to consider the problem behavior that led to the disciplinary placement change and do the following:

- Review and modify your child's behavioral intervention plan as needed to address the problem behavior; or
- Develop an assessment plan to address the problem behavior, if the district has not previously conducted a functional behavioral assessment and implemented a behavioral intervention plan; and
- Review the relationship between your child's disability and the behavior subject to the disciplinary action.

CHILDREN ATTENDING PRIVATE SCHOOLS

Children who are enrolled by their parents in private schools may participate in publicly funded special education and related services. Federal law permits special education and related services to be provided at the private school to the extent consistent with state law.

When Reimbursement is Not Required. Some children with disabilities are enrolled in private schools by their parents. School districts are not required to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if the school district made a free appropriate public education available to the child and the parents chose to place the child in a private school or facility.

When Reimbursement May Be Required. A court or hearing officer may require a school district to reimburse parents for the cost of private school placement made without the consent of or referral by the school district only if:

- the child received special education and related services under the authority of a public agency before enrolling in the private school; and,
- the court or hearing officer finds that, at that time, the school district did not make a free appropriate public education available to the child in a timely manner.

When Reimbursement May Be Reduced or Denied. Under the following three conditions, reimbursement for services may be reduced or denied:

1. Notice before removing child from public school.

The court or hearing officer may reduce or deny reimbursement if you do not inform the school district that you are rejecting the placement proposed by the school district and state your concerns and intent to enroll their child in a private school at public expense.

This notice must be given either:

- at the most recent IEP meeting that you attended before removing your child from public school; or
- in writing to the school district at least (10) ten business days (including holidays that occur on a business day) before removing your child from public school

A court or hearing officer may **not** reduce or deny reimbursement if a parent does not give this notice because:

- the parent is illiterate and cannot write in English;
- the reduction or denial of payment would likely result in physical or serious emotional harm to the child;
- the school prevented the parent from giving notice; or,
- the parent had not received a copy of this *Notice of Procedural Safeguards* or otherwise been informed of this notice requirement.

2. Evaluation by school district.

The court or hearing officer also may reduce or deny reimbursement if you do not make your child available for an evaluation by the school district, providing:

- the school district gave prior written notice of its intent to evaluate or reevaluate your child;
- the purpose of the evaluation as described in the prior written notice was appropriate and reasonable; and,
- the prior written notice was given before your child was removed from the public school.

3. Unreasonableness.

Reimbursement may also be reduced or denied upon a judicial finding that you were unreasonable in your actions.

OTHER RESOURCES

The publicly funded organizations listed here may be able to assist you in understanding the procedural safeguards and other provisions of the IDEA.

Your local school district:

P.A.R.E.N.T.S., Inc.
Toll Free: 1-800-478-7678
Fax: (907) 337-7671
Website: http://www.alaska.net/~parents

National Information Center for Children and Youth with Disabilities (NICHCY)
Toll Free: (800) 695-0285
Website: http://www.nichcy.org/

Disability Law Center
Anchorage: (907) 344--1002
Juneau: (907) 586-1627
Fairbanks: (907) 456-1070
Bethel: (907) 543-3357
Toll Free: (800) 478-1234

Alaska Department of Education & Early Development
Office of Special Education Programs
Juneau: (907) 465-8693 (ask to speak with a program manager)
Website: http://www.educ.state.ak.us/tls/sped/home.html

The **Governor's Council on Disabilities and Special Education** meets several times each school year in different locations around the state. Each meeting includes a time for public comment. Information about the council and its meeting schedule are available from the Council Office by calling (907) 269-8990

NOTICE OF REQUEST FOR DUE PROCESS HEARING

(Information that is requested in all shaded boxes must be provided. This form may be completed by the parent of the child with a disability or, if appropriate, the attorney representing the child.)

1. CHILD

CHILD'S NAME	**CHILD'S ADDRESS**	CHILD'S DATE OF BIRTH
SCHOOL OR PROGRAM ATTENDED	SCHOOL / PROGRAM ADDRESS	SCHOOL CONTACT NAME & NUMBER
PARENT OR GUARDIAN	**PARENT / GUARDIAN ADDRESS (IF DIFFERENT)**	**PARENT / GUARDIAN PHONE**
ATTORNEY OR LEGAL REPRESENTATIVE	ADDRESS	PHONE / FAX NUMBERS

MAIL TO: [enter district contact here]

2. PROBLEM

PARENTS CAN REQUEST A HEARING IF THEY DISAGREE WITH THE IDENTIFICATION, EVALUATION, EDUCATIONAL PLACEMENT OR PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION (FAPE) TO THEIR CHILD.

DESCRIBE THE PROBLEM WITH YOUR CHILD'S SPECIAL EDUCATION PROGRAM, AND THE SPECIFIC ACTIONS THAT THE SCHOOL DISTRICT HAS TAKEN OR REFUSED TO TAKE. INCLUDE FACTS ABOUT THE PROBLEM.

3. PROPOSED SOLUTION

DESCRIBE WHAT YOU THINK NEEDS TO BE DONE TO SOLVE THE PROBLEM, IF YOU KNOW OR HAVE ANY SPECIFIC IDEAS AT THIS TIME.

MODEL SURROGATE PARENT PLAN

I. Rationale for Appointing Surrogate Parents

Federal and State laws establish the importance of parent participation in the educational decision-making process for their children. Parents often give insight and information that is invaluable in planning an appropriate program for their child. The parent represents the interests of the child in the educational process. Because special educators recognize that the absence of a parent from the special education process may adversely affect decisions regarding the student, federal and state laws and regulations require School Districts to appoint a surrogate parent when the parent of a child with a disability cannot be identified and located.

II. Determination of Need to Appoint a Surrogate Parent

A. Within 5 days of the decision to take any action requiring parent participation, or consent, the district attempts to find the parents of the child with a disability.

   1. Each attempt must be documented in writing. Attempts to locate the parent include phone calls, letters, certified letters with return receipts, visits to the home, and interviews with relatives and other individuals who may have knowledge of the whereabouts of the child's parent.

   2. If the district identifies a person who claims to be a guardian, and one or more other persons also claim such a role, the Special Education Director should immediately refer the matter of who is the lawful guardian of the child to the appropriate Family Court for expedited consideration. Pending the outcome of this proceeding, the district should appoint a surrogate parent for the child.

B. If no parent or guardian is found, the district appoints a surrogate parent for the child. The appointment is made within 3 days of determining that the parents cannot be found.

C. The district may appoint a surrogate parent at the request of a parent, if the parent can demonstrate that he or she is not able to protect the rights of the child due to extraordinary circumstances. For example, the distance between the parent's residence and the child's location may be so great that the parent's participation in the educational decision-making process would be substantially impaired.

III. Qualifications and Training of Surrogate Parents

A. A person is qualified to serve as a surrogate parent when the district determines the person meets the following qualifications:

1. Has no personal or professional interest that could conflict with the interest of the child.
2. Is not employed by a public agency that is involved in the education or care of the child. (A person who otherwise qualifies as a surrogate parent is not considered an employee of a district solely because he is paid by the district to serve as a surrogate parent.)
3. Has knowledge and skills that assure adequate representation of the child.
4. In general, is familiar with the State and Federal requirements for special education and with the nature of the child's disability.
5. Has participated in a training program for surrogate parents and conducted by the district.

B. The district should recruit individuals from the community to train to serve as surrogate parents. Interested individuals who are judged to be otherwise qualified are sent an invitation for training. (See Surrogate Invitation in Addendum.) The following list of community resources is offered as a source of individuals who might serve as surrogate parents.

1. PTA groups;
2. Parents of children with disabilities;
3. Parent Advisory Boards at local schools;
4. Native Associations;
5. Faculty and student groups at local colleges and universities;
6. United Way volunteer recruitment programs;

7. Local Mental Health Associations;

8. Local Associations for Retarded Citizens;

9. Local chapters of various associations for children, such as:
   - Association for Children with Learning Disabilities
   - Council for Exceptional Children
   - Easter Seal Society
   - Epilepsy Foundation of Alaska
   - National Association for the Education of Young Children
   - National Paraplegia Foundation
   - Organization for Visually Impaired Children
   - Society for Understanding Deafness
   - United Cerebral Palsy of Alaska
   - Spina Bifida Association
   - Tuberculosis League

10. The League of Women Voters;

11. Kiwanis, Jaycees, Lions, Elks, Soroptimists, and Rotary;

12. Local advocacy groups.

C. The district shall maintain a list of individuals trained to serve as surrogate parents. The list includes each surrogate parent's current and previous employment, experience with children with disabilities, possible conflict of interest, and other information considered relevant by the district (see Surrogate List format in this appendix).

D. All individuals on the list are provided training including information in the following areas:

1. the role of the surrogate parent;

2. state and federal requirements for special education

3. the rights and responsibilities of parents in the educational decision-making process; and

4. the procedure that a surrogate parent follows if the surrogate parent believes that circumstance regarding the surrogate parent's role may

create a conflict with the interest of the child, including the procedure for immediately notifying the district if such a potential conflict exists (see Training Agenda in this appendix).

5. the nature of the child's disability

IV. Appointment of Surrogate Parent for Individual Child

A. In selecting the surrogate parent the district does not select any person from the list who:

   1. is an employee of an agency assigned as the child's guardian, or an employee who exercises the rights of a guardian as a part of his job with the State;

   2. is a foster parent currently serving as a custodian of the child unless the foster parent meets all of the standards of a "qualified" surrogate parent;

   3. is employed by an agency involved in the care and treatment of the child; or

   4. has interests that are in conflict with the interests of the child.

B. A conflict of interest exists for a person as a surrogate parent if:

   1. the person might benefit personally or professionally from decisions regarding the child;

   2. the person may be required to make decisions regarding the child that might affect policy in which the individual has a personal or professional interest;

   3. the person is not able to faithfully represent the child because of an institutional bias or interest.

C. Upon determination that the individual selected meets the criteria, the district immediately makes the appointment. The district, within 5 days of determining the appointment of a surrogate parent, provides written notice of appointment to the individual so selected and shall record such appointment in the child's record. (see Notice of Appointment in this appendix).

V. Responsibilities and Term of Appointment

A. During his or her appointment, a surrogate parent is expected to exercise all of the rights, responsibilities and authorities of a parent, including:

1. the right to receive notice of actions proposed or refused by the district;
2. the right to provide or withhold consent requested by the district;
3. the right to participate in the development, review and revision of the IEP and the eligibility and placement decisions;
4. the protection of the confidentiality of personally identifiable information collected, used or maintained by the district;
5. the conduct of an independent educational evaluation of the child; and
6. the initiation and conduct of due process hearings.

B. A surrogate parent continues to serve unless the district terminates the appointment prior to the expiration of the agreed upon period by request of the surrogate parent or because the district determines that:

1. the natural or adoptive parent or guardian has been located; or
2. the surrogate parent no longer meets the standards for a "qualified" surrogate parent set forth above and, thus, such termination is necessary to protect the rights of the child.

C. If a surrogate parent is no longer considered "qualified" by the district, the district notifies the individual in writing and informs him or her of the right to initiate a due process hearing to challenge the decision to terminate the appointment (see Notice of End of Appointment in this appendix).

D. The person whose term is terminated or whose appointment is not continued, remains the surrogate parent until an administrative or judicial proceeding is completed.

E. Prior to the expiration of the term of a surrogate parent, the district reviews the qualifications of the surrogate parent and determines whether to reappoint the surrogate parent for a new term or to appoint a new surrogate parent. If the district decides to reappoint a surrogate parent, notification of that reappointment is sent to the surrogate parent at least 30 days prior to the expiration of the term (see Notice of Appointment in this appendix).

Surrogate Invitation

Mr./Mrs. ____________________________
____
________________. Alaska ________

Dear Mr./Mrs. ____________________

The ______________________________ School District invites you to participate in our Surrogate Parent Training Program. After receiving this training, you will be qualified to serve as a surrogate parent for a child with a disability who needs a concerned person to help in planning his or her educational program.

The Surrogate Parent Training Program will be held on ____________________ at the ___________________. We hope you will be able to attend.

Please let me know if you are or are not coming to the training. I look forward to your help in serving children with disabilities.

Sincerely,

Surrogate List

1. Name ______________________

Address ______________________

____

Phone ______________________

Employment ______________________

____

____

Experience with Children with Disabilities:

____

____

____

____

Possible Conflicts of Interest:

____

____

____

____

The list includes information about each individual's current and previous employment, previous and current experience regarding children with disabilities (e.g., served as a surrogate for other children, has specific experience in special education or related fields), and any information regarding possible conflict of interest (e.g., participation in organizations, relative employed by a district involved in education or care of the child.)

Sample
Training Session Agenda
Surrogate Parent Training Workshop

9:00 am	Introduction Purpose of Surrogate Parents Federal and State Requirements
10:30 am	Break
10:45 am	Conflict of Interest Procedures for Appointing Surrogates Reappointment Hearings.
12:00	Lunch
1:00 pm	Rights of Students with Disabilities Educational Decision-Making Referral Assessment Eligibility
3:00 pm	Break
3:15 pm	IEP Placement Consent and Notice Hearings
4:30 pm	Adjourn

Notice of Appointment

Mr./Mrs. ____________________

____

____________. Alaska ________

Dear Mr./Mrs. ________________

The ____________________ School District appoints you as a surrogate parent in accordance with both federal (34 C.F.R. 300.515) and State (4 AAC 52.590-610) regulations. According to these regulations, you, as a surrogate parent, will have all the rights and responsibilities of parents in matters relating to the special education process.

The term of your appointment is ______________________________

The child we have assigned you is ______________. ______________

is now placed in an educational program at ______________ School.

The principal is ______________ and ______________'s teacher is

______________. Either one may be reached by calling the

school at ______________.

If you have any questions about your appointment or your rights and responsibilities as a surrogate parent, please call me.

Sincerely,

Notice of End of Appointment

Mr./Mrs. ____________________

____
____________ Alaska ______

Dear
Mr./Mrs. ________________

The ______________ School District has made a determination regarding the continuation of your appointment as a surrogate parent for ________________________________ Our determination is as follows:

_____ Your appointment has been terminated as you requested.

_____ Your appointment has been terminated because you no longer meet the criteria for a "qualified" surrogate parent. (See Surrogate Parent Procedures, page 1.)

_____ Your appointment is continued.

If your appointment has been terminated by the District, you have the right to request a due process hearing regarding the District's determination that you are no longer qualified. If you wish to challenge our determination, please address your hearing request to:

____
____
__________ Alaska ________

Thank you for your assistance in the past.

Sincerely,

RECORD OF ACCESS

Name of Student: ______________________________

Date	Name of Reviewer	Agency Affiliation	Reason for Review of Files

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL INFORMATION

Date: ____________________

Student Name ____________________ School District ____________________

As parent/guardian of the student, I hereby authorize the release of confidential information between the ____________________ school district and

____

____

I understand that information will be treated in a confidential manner. I also understand that it is my right to request a copy of all information and contest any information I feel is incorrect.

Parent/guardian signature ____

Address ____

Sample[1]

Notice of Intent to Destroy Special Education Records

Dear ______________________________

This letter is to inform you that the district no longer needs the special education records of your child, ______________________________. You are entitled to a copy of these records, which include the following:

_____ Evaluation and Eligibility Reports

_____ IEPs

_____ Assessment Reports (i.e. psychology, speech/language)

_____ Other (please list or describe the information you desire)

The district encourages parents to maintain copies of these records, as they may be useful in applying for adult services (many agencies request documentation that an individual has a disability and/or has received special education services).

If you would like a copy of these records or wish to object to the destruction of the records, please contact

____

name, title, address, phone number

If the district does not hear from you by _________________________ (this date can be no earlier than 45 days from the date of this notice), the district plans to destroy the records. Please note that the district will continue to maintain a permanent record of your child's name, address, and phone number, along with his or her grades, attendance record, classes attended, grade level completed, and year completed.

---

[1] According to 4 AAC 52.760, the district shall maintain records until no longer needed to provide educational services, but not fewer than 5 years.

APPENDIX F

PERSONNEL FORMS

1. Documentation of Training for Paraeducators
2. Early Childhood Education Requirements form
3. Personnel Development Plan
4. Recommended Guidelines for Related Service Providers

PARAEDUCATOR TRAINING DOCUMENTATION *

1. Name of Paraeducator: ______________________________

2. Date(s) of Training ______________________________

3. Person Conducting Training ______________________________
(Name and Title)

4. Length of Training (in hours) ______________________________

5. Topics Covered in Training ______________________________
____
____

6. Materials used for Training ______________________________
(i.e. training modules, videos, etc.)
____
____

______________________________ ______________________________
Paraeducator Supervisor

____
Date

* To be maintained in the district's CSPD folder

STATE OF ALASKA

Early Childhood Special Education Requirement Form

6 Semester hours per 4 AAC 12.025(d)

Name: ______________________________

Social Security #: ______________________________

School District: ______________________________

Credits	Documentation	College/University	Course Title

______________ Total Semester Hours Documented

T = Transcript

C = Class list (Summer Academies)

Comments:

COMPREHENSIVE SYSTEM of PERSONNEL DEVELOPMENT (CSPD)

Each state is required to develop and implement a comprehensive system of personnel development (CSPD) to help ensure that an adequate supply of qualified special education, regular education, paraeducators, and related services personnel are available to meet the needs of children with disabilities in Alaska. A state must include in its plan an analysis of state and local needs for the professional development of personnel, as well as a description of the strategies the state will use to address these needs.

Throughout the 1999 school year, the department will continue collaborating with other partners to outline the new CSPD Plan. This plan will provide the infrastructure for the Alaska State Improvement Plan (SIP). District's will be given a copy of Alaska's SIP when it is completed so that their local CSPD plans may link with the goals in Alaska's SIP.

State Improvement Plan (SIP)

Under the IDEA 97, federal funds for CSPD are now provided to states through a competitive funding process. This requires each state to submit a grant proposal that describes how the state will accomplish the above-listed objectives. Alaska is currently in the process of completing this proposal and, based on an extensive statewide needs assessment regarding professional development, has established the following six priorities:

- Achieve improved educational outcomes for all students, including students with disabilities.
- Support full participation of parents, particularly parents of children with disabilities, in activities that create effective school reform and improved student achievement.
- Design policies, procedures, and programs between agencies involved with students with disabilities, which create improved services for students and their families.
- Ensure adequate numbers of high quality paraprofessionals are available to address the needs of children with disabilities.
- Ensure adequate numbers of high quality professionals are available to address the needs of children with disabilities.
- Design a quality evaluation process that demonstrates the impact of the State Improvement Plan (SIP).

The grant proposal for addressing these priorities will be submitted to the Department of Education, Office of Special Education Programs, no later than December 15, 1999.

Local School District Professional Development Activities

School districts are responsible for providing professional development activities for regular educators, special educators, paraeducators, and other appropriate staff members. The specific activities that are provided should be based upon needs identified by a district's annual needs assessment process. Each district's CSPD plan will be reviewed during compliance monitoring or at other times as the department designates.

Recommended Guidelines for Related Service Providers

1. **Participate with IEP team members in writing shared educational goals rather than writing separate therapy goals.**

   It is difficult to write educationally relevant related service recommendations without knowledge of the contents of a student's educational program. It is not uncommon for a related service provider to generate a set of goals that reflect outcomes valued by his/her respective area of expertise. Not only can this be confusing for families, it can lead to programs that are disjointed and fragmented with team members heading in different directions.

2. **Make team decisions about related services to be provided.**

   When therapists make unilateral decisions about the related services to be provided, there is a risk of undesirable and unnecessary overlaps and gaps in services, contradictory recommendations, and conflicts among team members. Such unilateral decision making fails to address the interrelationships among the team members involved in a student's education. It does not account for the fact that many of the functions served by educational team members from various disciplines can, and do, overlap with those of other disciplines.

3. **Differentiate between learning outcomes and general supports.**

   Related service providers sometimes confuse learning outcomes versus general supports; many times IEP annual goals are actually general supports rather than learning outcomes. This results in IEPs that are unnecessarily passive that do not tap the learning potential of students. "Donny will be repositioned every half hour" is an example of a support provided by a service provider; it is not an annual goal that requires Donny to learn.

4. **Understand the relationship between student needs, goals, placement, and services.**

   Determination of related service needs comes after developing the student's goals and objectives and placement because these factors influence the need for related services. By determining the goals and objectives first, we know what we want the student to learn and can then consider the least restrictive placement option. The determination can then be made as to what related services are necessary to assist the student in achieving those goals in the least restrictive environment.

5. **Use an "only-as-special-as necessary" approach instead of a "more is better" approach**

The "only as special as necessary" approach is based on the notion that rather than trying to obtain the most services possible, we should seek to determine the appropriate amount and type of services for each individual student. It also acknowledges the problems associated with providing more services than are necessary such as:

- decreasing time for participation in activities with non-disabled peers,
- causing disruption in acquiring, practicing, or generalizing other important educational skills,
- causing inequities in the distribution of scarce resources,
- overwhelming families and creating unnecessary unhealthy dependencies,
- unnecessarily complicating communication and coordination among team members.

6. **Make sure that the proposed related service is educationally relevant and necessary.**

To assure that the related service is educationally relevant, related service providers should be able to reference their services to the student's IEP goals and objectives. For example, making an adapted switch for use with a communication device may be referenced to the student's communication goals. To determine whether the services are necessary, consider the following question: Is there data or logic to suggest that the absence of the proposed service will interfere with the student's access to or participation in his or her educational program?

7. **Match the mode of service provision (e.g., direct vs. consultation services) to the functions served.**

Do not use formulas that offer prescribed modes of service provision and/or suggested frequencies and duration of service; there are simply too many unique variables about students, families, team members, schools, and communities for such formulas to offer appropriate individualization.

Also, because the skills and knowledge of related service providers need to be extended to other team members, it is almost inconceivable that a student could receive appropriate related services through direct service provision only; consultation with teachers, paraprofessionals, and other service providers is necessary.

8. **Determine the least restrictive location and strategies for service provision.**

Related service providers should strive to provide services in the most natural environments and use approaches that are socially acceptable within those settings. It is important to consider the student's privacy, dignity, and the perceptions of peers when selecting both where services will be provided and what strategies will be used.

9. **Implement and evaluate related services.**

The first step in evaluating the impact of a related service is to know what components of the educational program the service was intended to support. By knowing which educational program components are being supported and which functions are being serviced, the team can ask questions such as

- Has the service provided access to, or allowed for participation in the educational program?
- Has the service facilitated achievement of goals that would probably not occur in the absence of the service?

APPENDIX G

SECONDARY TRANSITION

1. Sample Transition Plans
2. Sample Person Centered Planning in the Transition Process

Prototype* Individual Education Program

Name: *Tom* Date: *9/10/98* School: *Central High School* Age/DOB: *15 years of age (5/9/82)*

Student in need of special education: *yes* Student in need of special education with related services: ________ Soc. Sec. #: *666-777-8888*

Grade Level: *10* Initial IEP ____ Review IEP ✓ Parent Notification ✓ Student Invitation ✓ Other Agency Invitation ✓

Post School Outcomes (Long Range Goals)

Employment: *Park Ranger*

Residential: *Live in own apartment or at home*

Community Participation: *Outdoor activities with friends*

Leisure Recreation: *Hunting and fishing*

Present Level of Educational Performance (PLEP)

Instruction: *Reading 6.6, Math 6.8*

Employment: *Aptitude scores average range, weak in clerical perception. Finger and Manual dexterity high average.*

If Appropriate: Daily Living:

Other:

Community Experience: *Has basic knowledge of community. Does not know about community adult service agencies nor training programs.*

Adult Living: *Has basic skills in using money, purchasing, simple cooking and cleaning. Does not have skills in budgeting, money management, banking, meal planning, maintaining a home or laundry. Can get around the community independently.*

Functional Vocational Evaluation:

Statement of Transition Service Needs

Grade 9 Courses of Study: *English 9, Reading 9, Civics, World Geography, Geophysical Science, Food Science, Natural Resources/Forestry*

Grade 10 Courses of Study: *Oral and Written Communication, Reading 10, Applied Math, Intro to Biology, EBCE*

Grade 11 Courses of Study: *Literature, Composition, History 1&2, Natural Resources/Wildlife, PE, Computer Studies 1, Photography 1, Single Survival, Work Experience*

Grade 12 Courses of Study: *General Composition, Government, Technical Carpentry, Forestry and Natural Resources (dual enrollment program), Cooperative Vocational Education*

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Alaska Special Education Handbook 9/99

IDEA 1997: Transition Services Requirements
O'Leary, 1997-Tom's IEP Prototype

Related Services: Services are not needed because:	*1. Rehabilitation Counseling Services (Vocational and post-school employment counseling).*	*1. School and Vocational Rehabilitation*	*1. The school and Vocational Rehabilitation will work collaboratively. The school will provide and pay for the rehabilitation counseling services through the junior year. Vocational Rehabilitation will provide and pay for rehabilitation counseling in the senior year.*
Adult Living: Services are not needed because:	*1. Meet with the school Social Worker and Resource Teacher regarding behavior, social skills, and building friendships.* *2. Group counseling on anger management and conflict resolution.* *3. Banking, money management skill development.* *4. Cooking and home management skill development.* *5. Work toward obtaining drivers license*	*1. School* *2. School* *3. Consumer Credit Counseling or local bank* *4. School or Independent Living Center.* *5. School and family.*	*1., 2. School will provide counseling and support through the school Social Worker, Resource Teacher and counseling department.* *3. Consumer Credit Counseling will be contacted to determine assistance they can provide. Costs and who will pay will be determined.* *4. The Independent Living Center will be contacted about possible offerings in independent living and home management. Costs and who will pay will be determined.* *5. The school will offer drivers education during the summer. The student or parents are responsible for paying for drivers education.*
Daily Living Skills (if appropriate)			
Functional Vocational Evaluation: (if appropriate)	*1. Formal and informal vocational assessment.*	*1. School*	*1. The school will provide and pay for the vocational assessments.*

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Other Documentation for Transition Services.

Documentation of student's preferences and interests in the development of the IEP if they did not attend (Describe): *Tom attended his IEP and expressed his post-school goals. Additionally, Tom was given several interest inventories during April 1995 to help in beginning to identify employment preferences and interests (see student file). The teacher met with Tom and Tom completed questionnaires regarding his post-school interests and preferences in the areas of employment, residential living, community participation, and leisure recreation (see student file).*

Documentation of other agency participation in planning if they did not attend (Describe): *Vocational Rehabilitation and JTPA representatives were present at the IEP meeting and involved in planning. Consumer Credit Counseling, the Independent Living Center, and the Vocational Technical School were not in attendance when these activities (strategies) were discussed at the IEP meeting. They will be contacted to discuss their involvement in planning transition services for Tom and invited to attend the next meeting if they will be providing services.*

If any agency fails to provide agreed-upon services in the activities/strategies a meeting must be held as soon as possible to identify alternative strategies and if necessary revise the IEP. IEP reconvened date:________________________

Annual Goals

Annual Goals** Address all activities/strategies in the Statement of Needed Transition Services that are the responsibility of special education and will be addressed this school year.	Initiation	Completion	Review Date
Instruction: *Tom will earn passing grades in science and math.*	*9/11/97*		*5/1/98*
Community Experiences: *Tom will become familiar with local and regional community service agencies.*	*9/11/97*		*5/1/98*
Employment: *Tom will explore at least two occupational areas.*	*9/11/97*		*5/1/98*
Related Services: *Tom will develop job seeking and job keeping skills.*	*9/11/97*		*5/1/98*
Adult Living: *Tom will resolve conflicts in an appropriate manner and begin to take responsibility for his actions.*	*9/11/97*		*5/1/98*
(Other:)			

** Note: Not all Annual Goals that are the responsibility of special education are included in this example. Your IEP will need to include all Annual Goals that correspond to the activities/strategies from the Statement of Needed Transition Services that are the responsibility of special education.

Short Term Objectives***

Student Name: *Tom*

Annual Goal: *Employment: Tom will explore at least two occupational areas.*

Instructional Objectives	Responsible Parties	Date Completed	Comments
Given the EBCE assessment inventory for determining career interests and discussion with the Resource Teacher and Work Study Coordinator, Tom will choose two occupational areas to explore through the Experienced Based Career Education (EBCE) program during the 1997-1998 school year.	*Resource Teacher, Work Study Coordinator*		*Selection of occupational areas and community sites should be based upon Tom's interests and preferences.*
Tom will satisfactorily complete weekly EBCE Activity Sheet assignments.	*Resource Teacher, Work Study Coordinator, Tom*		

*** Note: These are a few examples for one Annual Goal. Short Term Objectives need to be written for each Annual Goal.

*Note: This IEP Prototype **does not** include all of the requirements for an IEP. The prototype is designed to provide an example of a process and flow of how the discussion/information can be presented and how the transition services requirements could fit into an IEP format.

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NATRONA
COUNTY SCHOOLS
970 North Glenn Road
Casper, WY 82601

Individual Education Program

Student Name: Joe Student DOB: 5/20/81 Date: 6/8/99 Grade: 12

School: Kelly Walsh High School Case Manager: C. Junge

I. **Parental Rights Reviewed** BS (parent initials) (WY R/R Sec 19 (d) (iii) (E))

X By at least age 17, student and parents were informed of the transfer of rights to the student at age 18.

Rights did not transfer as parents have obtained full guardianship

II. **Purpose of the meeting**

✓ To review the results of a completed evaluation, discuss eligibility criteria and determine the need for special education.

✓ To review progress towards the goals of the current IEP and/or discuss proposed changes to special education, related services or placement.

✓ To address transition services to prepare for movement from school to post-school activities.

_____ Other:

III. **Disability Classification** Health Disability (if initial or triennial evaluation, attach Eligibility Criteria form(s))

IV. **Transition Services**

☐ Student is not 14 and does not require a transition plan

☐ Student is not 14 and requires a transition plan.

☑ Student is 14 or older. A transition plan is required.

V. **Post School Outcomes** (602(30)(A); Section 300.27 (a)) (Complete if a transition plan is required)

Employment computer related work - clerical

Community Participation Wants to join Rec Center or YMCA

Residential Plans to live at home for 2-3

Leisure Recreation: hunting, fishing, Broncos football

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O'Leary. 1997-Tom's IEP Prototype

Student Name Joe Student

VI. Present Levels of Performance (Consider student strengths in description of present levels of performance)

Academic: Has completed graduation requirements. Reading and math skills are functional when accommodations for vision are provided. Has learned how to operate Cursuell and Drag N Dictate programs on IBM compatible systems.

Employment: Currently volunteering @ the ARC of Natrona County. Does newsletter for the People First High School group.

Experience in Community: Able to ride CATC independently. Enjoys hunting and fishing with family. Participates in community outings with respite provider 1-2 times a week. Has taken family trips to Denver + Alaska.

Agency Linkages: Receives state respite. Has an open file with DVR. Has initiated eligibility determination process for State Medicaid Waiver.

Independent Living Skills: Requires assistance and support throughout his day. Personal care assistance needed for dressing, bathing. Can assist in own grooming. Needs assistance for toileting. Can assist in food/meal preparation and clean up. Can manage simple finances ie) checkbook, budgeting with minimal support. Can navigate independently using motorized wheelchair.

Support Services/Therapies:
Consultation provided for vision, occupational therapy, audiology, tramatic brain injury, nursing. Receives daily physical therapy, speech therapy 2x 30 minute, and special transportation. Augmentative

Other: equipment (computer, Dictation software, Speech enhancer) provided by NESD#1 Speech therapy program.

VII. Statement of Transition Service Needs (614(d)(1); Section 300.347 (b)(1)(i)) - Complete for all students 14 and older

(Courses of study should relate directly to helping student achieve post school outcomes)

Grade 13 Courses of Study: computer software, graphic arts, basic skills, employment - work study, BOCES course computer

Grade 14 Courses of Study: Work study, BOCES college courses in computer related area

Grade Courses of Study:

Grade Courses of Study:

Graduation Information: Projected graduation date Completed graduation ceremonies June, 1999

558 Will student be required to meet regular graduation requirements? [✓ YES] NO (If no, explain) With IEP substitutions

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Student Name Joe Student \ VIII.

Statement of Needed Transition Services: Coordinated Activities / Strategies

(602(30)(C); 614(d)(1)(vii)(II); Section 300.27 and Section 300.347 (b) (1)(ii))

Transition Services	Activities/ Strategies	Agency/Responsibilities	Who will provide and / or pay?
Instruction: Services are not needed because: (Section 300.347(b)(2)) ①	Continue basic skills instruction in rdg, math and written language	NCSD#1 to provide courses or tutoring	NCSD#1 until age 21
②	Explore computer training courses at Casper College and on campus	Provide support in registering for BOCES courses. Provide in classroom support and accommodations	NCSD#1/BOCES NCSD#1 to provide staff
Community Experiences: Services are not needed because: (Section 300.347(b)(2)) ①	Visit YMCA and Rec Center classes to determine which one to join.	NCSD#1 ABLE class field trips	NCSD#1 will provide transportation Parents/Joe to pay for membership
②	Join People First group at KWHS	Provide calender of Scheduled meetings	No cost.
③	Explore excursion trips to Denver Broncos game	Assist in locating schedule of games and contacting travel clubs for trip bookings	Parents/Joe to pay trip costs State respite to pay provider fees
Employment: Services are not needed because: (Section 300.347(b)(2)) ① ||	Obtain part time paid summer work experience in office environment	NCSD#1 to coordinate summer school speech services with work site	NCSD#1 will provide speech therapy Parents/Joe will pay transportation DVR to pay work experience wage and provide job coach
②	Explore local job market for potential work environments	NCSD#1 Work Study to arrange job shadows/trials for 99-00 school year.	Transportation and related costs paid by NCSD#1.
③	Obtain own computer, software, and speech Enhancer unit	Coordinate purchase of equipment from NCSD#1	DVR and family will pay 15% cost to district.
Related Services: Services are not needed because: (Section 300.347(b)(2)) ①	Explore companion animal program	Vision and Mobility specialist for NCSD#1 to provide program information to family	Family to pursue. NCSD#1 staff will assist in seeking grant or scholarship money available.

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Student Name Joe Student

Statement of Needed Transition Services: Coordinated Activities / Strategies

(602(30)(C); 614(d)(1)(vii)(II); Section 300.27 and Section 300.347 (b) (1)(ii))

Transition Services	Activities/ Strategies	Agency/Responsibilities	Who will provide and / or pay?
Adult Services: Services are not needed because: (Section 300.347(b)(2)	① Determine eligibility for State DD Medicaid Waiver ② Enroll in Library for the Blind "loaner program	Targeted case mgr and Waiver Area Specialist to conduct assessments NCSDH to assist in application process	State Medicaid Waiver Funds Library for the Blind services are at no charge to consumer.
Daily Living Skills Services are not needed because:	① Investigate independent living options to include; - group homes - roommate arrangements - independent supported apartment options	ABLE program to arrange for visitations by Joe and his family.	Potential funding sources; -State DD Medicaid Waiver -State contract # - Private Pay -Section 8 Housing Authority co-payment

Documentation of student's preferences and interests in the development of the IEP if they did not attend (Describe): (300.344(b)(2))

Joe was present at meeting.

Documentation of other agency participation in planning if they did not attend (Describe):
(300.344(b)(3)(ii))

Vision/Mobility specialist will contact Library for the Blind and Companion Animal programs

Agency Responsibilities: If any agency fails to provide agreed upon services in the activities/strategies a meeting must be held as soon as possible to identify alternative strategies and if necessary revise the IEP. IEP reconvene date: ____________
(614(d)(5); 300.347(a) [1992 Final Regulation that remains in effect].

IX. Identified Needs to be addressed this IEP

1) work experience
2) career exploration
3) basic skills remediation
4) exploration of independent living options
5) computer training

Pg. 4/7

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Student Name Joe Student

X. Special Factors

- Does the student's behavior impede his/her learning or that of others? Yes___ No ✓
  If yes, describe and/or attach positive behavioral interventions, strategies and supports, modified discipline plans, classroom interventions.
- Is the student limited English proficient? Yes___ No ✓
  If yes, address the need for instruction to be provided in Braille.
- Is the student deaf or hearing impaired? Audiology to provide FM unit as appropriate Yes ✓ No___
  If yes, address the need for instruction in the child's language and communication mode.
- Will the student need assistive technology and services? Computer, Speech Enhancer, software Yes ✓ No___
  If yes, address what will be provided.
- Will school staff need any other supports (i.e., special training)? Curswell training Yes ✓ No___
  If yes, what supports will be provided.
- Will the student require special transportation? Yes ✓ No___
  If yes, attach the request form and checklist form.
- Will the student require ESY services? Speech therapy only Yes ✓ No___ Determine Later___

XI. Annual Goals and Short Term Objectives (see attached)

XII. Specific Special Education and Related Services

Special Ed/ Related Service	D/C	Freq.	Minutes Per Week	Initiation Date	Duration Date	Location	Provider
Audiology support	C	1x/mo.	5 min	6/8/99	6/8/00	Reg Ed-KW	NCSD#1 Audiology Dept
TBI Support	C	1x/mo	5 min	6/8/99	6/8/00	Reg Ed-KW	TBI Specialist
OT	C	2x/mo.	10 min	6/8/99	6/8/00	Reg Ed/SPED	Occupational Therapist
Speech Therapy II	D	2x/wk	60 min	6/8/99	6/8/00	SPED/Community	Speech Therapist
Nursing	C	2x/wk	5 min	6/8/99	6/8/00	SPED	KWHS nurse
Special Transportation	D	4x/daily	—	6/8/99	6/8/00	Community	NCSD#1 District Transportation
TLS Work Study	D	3 periods daily	675 min	6/8/99	6/8/00	SPED/Community	Resource staff
TLS ABLE Program	D	3 periods daily	675 min	6/8/99	6/8/00	SPED/Community	ABLE Resource staff
Physical Therapy	C	1x/wk	5 min	6/8/99	6/8/00	SPED	Physical Therapist

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Student Name Joe Student

XII. Least Restrictive Environment (attach LRE form)

25 % Regular Education

75 % Special Education

XIII. Regular Education (Describe the extent of participation and modifications needed; attach Modifications & Accommodations form if necessary.)

Computer courses: Desktop Publishing, WINDOWS 98; lunch - see modifications and accommodations attached

XIV. State/District Standardized Assessment

☐ Participation in general assessment without accommodations

☑ Participation in general assessment with accommodations

Type of accommodations required: See accommodation plan attached

☐ Participation in alternate assessment

Type of alternate assessment:

Reason for alternate assessment:

XV. Other Specific Decisions and Recommendations

Parents should consider contacting Shriner's Hospital to investigate assistance in purchasing a new wheelchair and brace prior to Joe's 18th birthday.

XVI. Summary and contributions expressed by the parent and/or the student (WY R/R Sec 19 (d) (iii) (E))

Joe is glad he has completed graduation and met his goal to walk across the stage to get his diploma. He doesn't want future schooling to resemble pre graduation schedules. He wants to spend more time in the community focusing on getting a job. Joe's parents agree.

XVII. Copy of IEP to Parents? (WY R/R Sec 19 (d)(iv)) Yes X No ____

Copy will be mailed by 6-15-99.

Pg. 6/7

Student Name Joe Student

XVIII. Attendance and Accuracy of the Record

The following individuals were in attendance and attest to the accuracy of this written record and the fact that these deliberations, discussions and conclusions of the IEP team occurred only during a formal IEP team meeting. (WY R/R Sec 19 (d) (iii) (B) (F))

Team Member	Position	Date
Beverly Student	[✓ Parent] [✓ Guardian/] Adult Student	6/8/99
Joe Student	Student	6/8/99
Millie Parker	Regular Education Teacher	6/8/99
Cheryl Junge	Special Education Teacher	6/8/99
Sandie Thomasma	Principal or [✓ Administrative Designee]	6/8/99
Susie Que	Speech Pathologist	6-8-99
Tim Thomas	DVR Counselor	6-99
Kimberly Spikes	OT	6/8/99
Charlisse Study	Vision Consultant	6/8/99
Kathy Combs	TBI Consultant	6/8/99
Carmen Davis	School nurse, R.N.	6/8/99
Mary Pike	ABLE (Coordinator)	6/8/99
Jane Goodell	Audiologist	6/8/99

Cheryl Junge, Case Manager

Recorder's Signature (WY R/R Sec 19 (d) (iv))

Note: BOLD denotes required attendance including a person qualified to conduct individualized diagnostic evaluations if the meeting is to determine eligibility. If the parent / guardian/ adult student is not in attendance, attempts to arrange a mutually agreeable time and place are attached. Any IEP member who disagrees with an IEP team decision must state that opinion at the meeting, prepare a written explanation for the opinion, and attach to the IEP within 5 work days. (WY R/R Sec 19 (c) (i))

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O'Leary, 1997-Tom's IEP Prototype

Natrona County School District
IEP GOALS and OBJECTIVES

Student Name: Joe Student **Grade:** 12 **Date:** 6/8/99

Service Provider's(s) / Position(s): Resource Teacher | Staff

Annual Goal # 1 **Goal Linked to District Outcomes?** [✓ Yes] No

Note: Each Annual Goal must have a *minimum* of two (2) short term Objectives. Annual Goal should link to present level of performance and standards; expect achievement in one year.

Joe will improve basic skills

Subject Area Reading Improvement **Grade Level** 10-12
District Outcomes Demonstrates word attack and comprehension
Performance Criteria Area 3 **#** 1, 2

Objective # 1

Behavior Expected:
Joe will improve reading comprehension, work attack, and vocabulary knowledge

Criterion for Mastery:
80% or better scores

As Measured by:
informal assessments, written/oral classwork

Initiation Date: 6/8/99 **Anticipated Duration:** 6/8/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
	☐	☐		☐	☐
	☐	☐		☐	☐
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Progress Codes
NT = Not Taught
C = Continue
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D = Discontinued

Evaluation codes
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Ot = other: ________

Subject Area General Math **Grade Level** 8
District Outcomes Applies proper operation with a calculator
Performance Criteria Area 3 **#** 6

Objective # 2

Behavior Expected:
Joe will improve math application skills with the use of a calculator

Criterion for Mastery:
80% or better

As Measured by:
informal assessments, written work

Initiation Date: 6/8/99 **Anticipated Duration:** 6/8/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
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Natrona County School District

IEP GOALS and OBJECTIVES

Student Name: Joe Student **Grade:** 12 **Date:** 6/8/99

Service Provider's(s) / Position(s): T.H.S Resource Teacher/staff

Annual Goal # 2 **Goal Linked to District Outcomes?** [✓ Yes] No

Note: Each Annual Goal must have a *minimum* of two (2) short term Objectives. Annual Goal should link to present level of performance and standards; expect achievement in one year.

Joe will identify potential community employers that match his skills, interests, and abilities

Subject Area Marketing Work **Grade Level** 10-12
District Outcomes Participates in career assessment activitie
Performance Criteria Area 3 **#** 2

Objective # 1

Behavior Expected:
Joe will participate in job shadows and work trials in the area of computers including data entry, word processing, clerical/office positions

Criterion for Mastery:
Completion of 3 experiences

As Measured by:
attendance records, written evaluations

Initiation Date: 6/8/99 **Anticipated Duration:** 10/30/99

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
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Ot = other: ________

Subject Area ________ **Grade Level** ________
District Outcomes ________
Performance Criteria Area ________ **#** ________

Objective # 2

Behavior Expected:
Joe will participate in a community based work experience/training for a minimum of 90 days.

Criterion for Mastery:
Completion of 180 hours of training in a semester

As Measured by:
attendance records, time cards

Initiation Date: 11/2/99 **Anticipated Duration:** 6/8/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
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	☐	☐		☐	☐
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Natrona County School District
IEP GOALS and OBJECTIVES

Student Name: Joe Student **Grade:** 12 **Date:** 6/8/99

Service Provider's(s) / Position(s): TLS ABIE Coordinator/Staff

Annual Goal # 3 **Goal Linked to District Outcomes?** [✓ Yes] No

Note: Each Annual Goal must have a *minimum* of two (2) short term Objectives. Annual Goal should link to present level of performance and standards; expect achievement in one year.

Joe will increase independence in the community

Subject Area Health **Grade Level** 10-12
District Outcomes Demonstrates knowledge of community health resources
Performance Criteria Area 8 **#** 2

Objective # 1

Behavior Expected:
Joe will observe classes and activities at the Rec Center and YMCA and then choose one to join.

Criterion for Mastery:
Obtains membership

As Measured by:
Membership Card

Initiation Date: 8/25/99 **Anticipated Duration:** 10/30/99

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval	Progress Codes	Evaluation codes
	☐	☐		☐	☐	NT = Not Taught	W = written performance
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	☐	☐		☐	☐	NM = Not Met	R = rating scale/charts
						D = Discontinued	N = norm reference test
							A = District assessment
							Ot = other:

Subject Area Practical English **Grade Level** 10-12
District Outcomes Locate and use community resources for personal grow
Performance Criteria Area 9 **#** 1

Objective # 2

Behavior Expected:
Joe will investigate living options including group homes, roommate arrangements, and independent supported apartment living.

Criterion for Mastery:
Completion of visitation and feedback sheet for each environment

As Measured by:
written work, attendance records

Initiation Date: 9/25/99 **Anticipated Duration:** 6/8/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval	Progress Codes	Evaluation codes
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Natrona County School District
IEP GOALS and OBJECTIVES

Student Name: Joe Student **Grade:** 12 **Date:** 6/8/99

Service Provider's(s) / Position(s): TLS ABLE Coordinator / Staff

Annual Goal # 4 **Goal Linked to District Outcomes?** [✓ Yes] No

Note: Each Annual Goal must have a *minimum* of two (2) short term Objectives. Annual Goal should link to present level of performance and standards; expect achievement in one year.

Joe will improve computer skills

Subject Area Practical English **Grade Level** 10-12
District Outcomes Locate and use community resources for persona grow
Performance Criteria Area 9 **#** 1

Objective # 1

Behavior Expected:
Joe will take one BOCES course in computer instruction with accommodation and support

Criterion for Mastery:
Successful completion of course with a "C" or better

As Measured by:
course grades

Initiation Date: 8/25/99 **Anticipated Duration:** 1/25/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
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Subject Area Computer applications **Grade Level** 10-12
District Outcomes Identify the application of computer skills
Performance Criteria Area 9 **#** 1,2

Objective # 2

Behavior Expected:
Joe will use computer skill training in personal and career situations

Criterion for Mastery:
90% or better accuracy - independently

As Measured by:
informal assessment

Initiation Date: 1/25/99 **Anticipated Duration:** 6/8/00

Date Reviewed:	progress	eval	Date Reviewed:	progress	eval
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	☐	☐		☐	☐
	☐	☐		☐	☐
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Example of Person-Centered Planning in the Transition Process

Provided by the Alaska Transition Initiative

Getting to Know Greg

Places Greg Goes

- Spenard Recreation Center
- Overnighter
- Basketball
- X-Country Skiing
- Movies
- Golf
- Bicycling
- Senior Center
- China Lights
- A Night at Joe's
- California
- L.A.
- San Francisco
- Blockbuster
- Fishing
- Camping

Greg's Likes and Dislikes

Likes

- Friends
- Family
- Sleeping in
- Little Homework
- Visitors/Family from Outside
- Exercise
- Fixing/Building
- Having Help with Things I Don't know How To Do
- Playing Sports
- Learning
- Watching T.V.
- Playing Trumpet
- Eating Snacks
- Getting a Haircut
- Proud of Following Directions
- Country Music
- Talking on the Phone
- R.O.T.C.
- Golfing
- Drawing
- Helping Security

Dislikes

- Getting up in the Morning
- Not Getting my Way
- Stomach Aches
- People Interrupting Me
- Getting in Trouble
- Barking Dogs
- Runaway Dog
- Inappropriate dress of Others

- Alarm not going Off
- Chris Bossing Me
- Being Picked On
- High Cost of Boot Camp
- Being Talked into Things

Greg's Dreams for the Future

- Be a Cook
- Be a Golfer
- Be a Policeman
- Have My own House
- Graduate from High School
- Own my own Lamborghini
- Go on Fishing Trips in Alaska and Outside
- Work for one year after Graduation
- Stay with Mom for awhile then go into the Navy
- Have a Family, maybe a wife and two kids
- Maybe live in Texas
- Get my Alaska Driver's License this summer
- Go Hunting
- Build my Own Home
- Get a Ford Ranger
- Move to Homer, Alaska someday
- Go on a vacation to Wisconsin and /or Colorado

Greg's Strengths

- Good at Making Friends
- Has a Mechanical Mind
- Likes Doing Things Well
- Drawing
- Sense of Humor
- Sense of Responsibility
- Caring, Kind, & likes doing things for others
- Honest
- Wide range of Interest
- Likes Children
- Stick-to-it-ness
- Good Cook
- Vacuuming
- Hard Worker
- Getting along with Others
- Is an Interesting Person
- Adventurous

Person Centered Planning Chart
From PCP to IEP/ITP

Dreams & Fears Or Areas of Need	Planning/ Transition Area	Goal	Long Medium Short-Term	Who Provides Assistance	Time Frame	IEP/ITP Applications
Be a cook	Employment Daily Living	Learn to Cook	Short-Long	ASD/KCC-John W. OJT	Next term	OJT work site experience Tour KCC culinary department and apply to program if interested
Be a Golfer	Recreation & Leisure	Improve Golf game	Short-Long	ASD Dad Greg	Next term	Greg will enroll independently in golf class offered at school. . . Dad will give/pay for lessons
Be a Policeman	Employment	Research qualifications and needs to become a police	Long	ASD Greg Family	Next term	Greg will use a variety of ways to gather information on becoming a policeman (internet, phone, visit, library, etc)
Have or build my own Home	Residential Instruction	Learn how to build a home	Long	ASD Sid Friends Dad	Begin next term	Greg can enroll himself in carpentry classes at school, tour the KCC carpentry program and enroll if interested
Graduate from High School	Instructional	Improve study skills	Short-Medium	ASD (Mrs. Quinn) Family Parents Mike	Next term	Increase by double the number of assignments turned in for academic courses for at least a quarter. Be part of a study group

Join the Navy	Employment	Try to meet requirements for joining the Navy	Medium-Long	ASD (Mrs. Quinn) ROTC Program family	Next term	Visit recruiting stations (use internet if available), gather information for enlistment, study for AGVAB, request information from ROTC Generate Plan of Action
Plan a fishing trip	Recreation and Leisure	Plan a fishing trip	Medium	School Family	Next two terms	Learn how to obtain a license and how to plan a fishing trip (travel, expenditures, etc) Invite friends and family on the planned trip
Own my own Lamborghini	NA	NA	NA	NA	NA	NA
Have a family of my own	NA	NA	NA	NA	NA	NA
Maybe live in Texas	NA	NA	NA	NA	NA	NA
Get a driver's license	Instruction Daily living	Will get driver's license	Medium	School Family Self-determination	Next term	Study for and take permit exam Enter school drivers education program and take drivers exam
Go hunting	NA	NA	NA	NA	NA	NA
Move to Homer, Alaska	NA	Not an immediate concern and is a family issue				

Prototype* Format for Meeting the Transition Requirements Within the IEP

Name: Greg
Soc. Sec. #: 000-00-0000 Age/DOB: 18/11-21-79

Grade Level: Senior Date:
Student in need of special education X

School:
Initial IEP _ Parent Notification X
Annual Review X Student Invitation X
Re-Evaluation _ Other Agency Invitation X
Student in need of special education with related services

Post School Outcomes [602(30)(A); Section 300.27 (a)]

Instruction	Culinary School	Community Participation	Already very active in his community
Employment	Chef Military	Leisure Recreation	Golfing with Dad Fishing Do activities with friends
Residential/Adult Living	Live on own	Related Services	Not needed
Daily Lliving Skills	Budget and Manage Money Drive	Functional Vocational Evaluation	Needed

Present Level of Educational Performance (PLEP)

Instruction	Enjoys school and is motivated Needs applied Math training Has trouble finishing assignments and needs study skills	Community Participation	Active and independent in the community
Employment	Good work ethics and behavior Needs help studying for AGVAG and drivers permit and license Needs to learn how to self-direct his job/career direction	Leisure Recreation	Wants to expand interests to golf Skilled fisherman with a need to learn how to organize a trip
Residential/Adult Living	Has good domestic chore skills but needs help in budgeting and money management Needs to plan and organize dinner for friends Needs help studying for drivers permit/license	Related Services	Not Needed
Daily Living Skills		Functional Vocational Evaluation	Needed

Statement of Not Needed Transition Services

Instruction		**Community Participation**	**The IEP Team, including the parents/family, met on August 20 and agreed that as of this service is not needed. Greg is very active in several community organizations, attends a recreational facility and works in the community through JTP. He is able to independently ride the bus.**
Employment		**Leisure Recreation**	
Residential/Adult Living		**Related Services**	**The IEP Team, including the parents/family, met on August 20 and agreed that Greg has no need of related services at this time. He received speech and language support until his freshman year when it was determined, with family agreement, that he no longer needed speech and language.**

APPENDIX H

ASSISTIVE TECHNOLOGY

1. Common Areas of Assistive Technology Application

COMMON AREAS OF ASSISTIVE TECHNOLOGY APPLICATION

AREA OF NEED	EXAMPLES OF EQUIPMENT
Positioning In the classroom students may need assistance with positions for seating so that they are in a position to effectively interact with peers and the teacher and participate effectively in classroom activities	sidelying frames, walkers, crawling assists, floor sitters, chair inserts, wheelchairs, straps, trays, standing aids, bean bag chairs, sand bags
Computer Access Special devices that provide access to computers or environmental controls are necessary for some students to participate in school tasks Note: Once computer access has been established, it should be coordinated with other systems that the student is using, including powered mobility, communication or listening devices, and environmental control systems.	Input devices: switches, expanded keyboards, mouse, trackball, touch window, speech recognition, head pointers, keyguards, key latches, keyboard emulators, electronic communication devices Output devices: adaptations which may be needed to access the screen display such as Braille, text enlargement, or synthesized speech
Environmental Control In order to achieve independent use of equipment in the classroom various types of controls may be necessary	remote control switches, special adaptations of on/off switches
Augmentative Communication A student needs some form of communication in order to interact with others and to learn	symbol systems, communication boards and wallets, electronic communication devices, speech synthesizers, communication enhancement software
Assistive Listening Students are expected to learn at school through listening. Assistive devices, which facilitate learning to speak, read, and follow directions may be a necessary adaptation	personal FM units, sound field FM systems, TDDs, closed caption TV, mild-gain hardware systems

Mobility Students whose physical impairments limit their mobility may need devices to help them get around the school and participate in student activities	self-propelled walkers, manual or powered wheelchairs, and powered recreational vehicles like bikes and scooters, travel aids for individuals with low vision, blindness or dual sensory impairments (white canes, electronic image sensors which provide information through vibration, and telescopic aids for reading signs or spotting other landmarks).
Visual Aids Vision is a primary learning mode	optical or electronic magnifying devices, low vision aids such as hand-held or spectacle-mounted magnifiers or telescopes, closed circuit television read/write systems, cassette tape recordings, large print books, Brailled materials, computer screen reading adaptations such as enlargement, synthesized voice and refreshable Braille, scanners, optical character readers, reading machines, electronic note taking devices, Braille writers, copy machines which can increase the size or contrast of images, halogen or other lighting modifications, and vision stimulation devices such as light boxes
Computer-Based Instruction Computer-based instruction can enhance independent participation in activities supporting the curriculum	software which can provide tools for written expression, spelling, calculation, reading, basic reasoning and higher level thinking skills
Physical Education, Recreation, Leisure, and Play Assistive technology can help students participate in interactive recreational activities	drawing software, computer games, computer simulations, painting with a head wand, interactive laser disks, adapted puzzles, beeping balls or goal posts, wheelchairs adapted for participation in sports, game rules in Braille or audio cassette, balance or positioning aids, swimming pool lifts, or adapted sports or fitness/exercise equipment

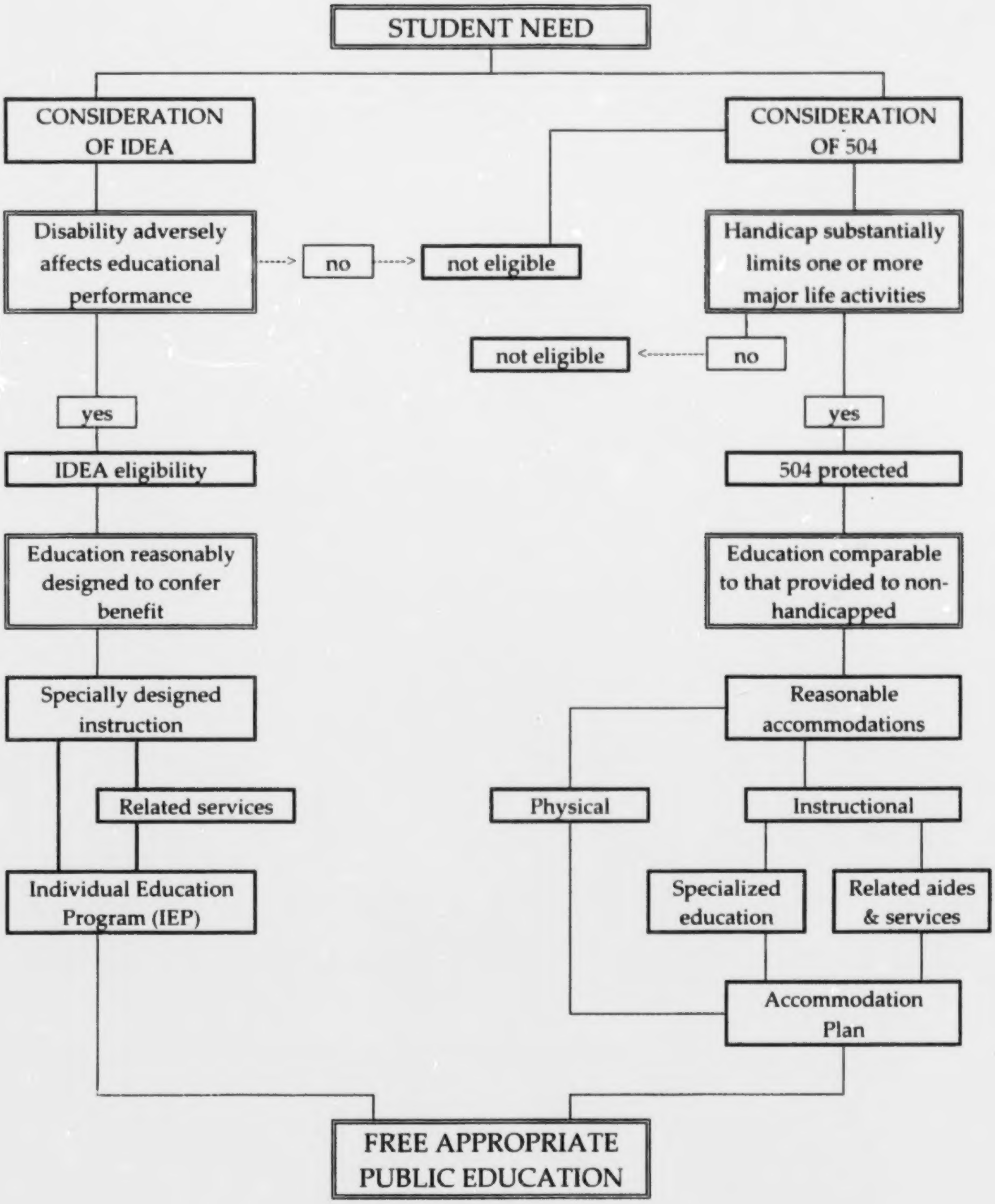
Self Care In order to benefit from education, some students require assistance with self care activities like feeding, dressing, and toileting	robotics, electric feeders, adapted utensils, specially designed toilet seats, and aids for tooth brushing, washing, dressing, and grooming

APPENDIX I

CLASSROOM ACCOMMODATIONS

1. IDEA/504 Flow Chart
2. Student Accommodation Plan
3. Information Regarding Section 504
4. Classroom and Facility Accommodations

IDEA/504 FLOW CHART


STUDENT NEED
CONSIDERATION OF IDEA
CONSIDERATION OF 504
Disability adversely affects educational performance
no
not eligible
Handicap substantially limits one or more major life activities
not eligible
no
yes
yes
IDEA eligibility
504 protected
Education reasonably designed to confer benefit
Education comparable to that provided to non-handicapped
Specially designed instruction
Reasonable accommodations
Related services
Physical
Instructional
Individual Education Program (IEP)
Specialized education
Related aides & services
Accommodation Plan
FREE APPROPRIATE PUBLIC EDUCATION

Council of Administrators of Special Education, Inc. (CASE) - *Student Access, A Resource Guide for Educators, Section 504 of the Rehabilitation Act of 1973*

STUDENT ACCOMMODATION PLAN

NAME: ______________________ BIRTHDATE: ____________ GRADE: ______

SCHOOL: ____________________________ DATE OF MEETING: ____________

1. Describe the nature of the concern:

2. Describe the basis for the determination of disability (if any):

3. Describe how the disability affects a major life activity:

4. Describe the reasonable accommodations that are necessary:

Review/Reassessment Date: ____
(*must be completed*)

Participants (Name and title)

________________________________ ________________________________
________________________________ ________________________________
________________________________ ________________________________
________________________________ ________________________________

cc: Student's Cumulative File

Attachment: Information Regarding Section 504 of the Rehabilitation Act of 1973

INFORMATION REGARDING SECTION 504

Section 504 of the Vocational Rehabilitation Act of 1973 prohibits discrimination against persons with a handicap in any program receiving federal financial assistance. The Act defines a person with a handicap as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such a caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the ____________________ school district recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to: 1) Inspect an review his/her child's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are any questions, please feel free to contact ____________________,

504 coordinator for the school district, at telephone number __________________.

Intervention Accommodations for Handwriting
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Peer support Different kinds of paper Different colors of paper Different line/spacing/line colors Tape paper to the desk Chalk board practice Instructional Strategies: Tracing exercises Talk through letter formation Walk through letter formation Write letters in the air Dot-to-dot Multi-modality instruction Modifications: Adapt tests to fill in the blanks Use multiple choice or true/false Provide additional time Shorten assignments Photocopy notes, etc. Different writing implements Paper position Student position Avoid using short pencils Peer dictation Cross-age tutoring	Peer support Pencil holders/grips Large/primary pencils Jumbo crayons Markers Grease pencils Acetate sheets Transparency markers Paper stabilizers Arm stabilizer/arm guide Light pen Dycem for positioning Tactile letters Stencils/templates Clipboards Tracing paper Electric eraser Correction tape/pen/fluid Rubber name stamp Other rubber stamps Bingo blotter to make selections Labels/stickers with names Automatic number stamp Highlighters Easel Slant board/wedge Personal chalkboard	Typewriter: Peer support Typing/keyboarding instruction Positioning device Positioning student Arm stabilization Wrist rests Movable/stationary custom keyguard Correction tape/pen/fluid Word Processors: Peer support Typing/keyboarding instruction Portable/stationary preferences Lightweight options Down linking to computer Positioning device Positioning student Arm stabilization Wrist rest Movable/stationary custom keyguard Cross-age tutoring

Intervention Accommodations for Spelling, Grammar, and Punctuation
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Modifications: Allow more time for completion Reduce number of words Instructional Strategies: Paired word associations Self-verbalization Imagery Mnemonic devices Multi-modality instruction Peer support Cross-age tutoring "Word wall" of common words Spelling word booklet Problem word lists Word banks	Flash cards Magnetic board and letters Flannel board and letters Rubber word stamps Rubber letter stamps Peer support Highlighters Personal chalkboard Pocket dictionary 3-ring notebook dictionary	Tape recorder Electronic pocket spell checker Electronic dictionary Language Master Speaking Language Master Spelling Ace/Spell Master Word Processor: Spell checker Peer support Cross-age tutoring Typing/keyboarding instruction

Intervention Accommodations for Visual Integration
By Judy Marquette and CISC

Method Accommodations

- Enlarge worksheets
- Enlarge reading material
- Worksheets free of blotches/streaks
- Change font on worksheets/test
- Double space worksheets/tests
- Use wide margins on worksheets
- Use different colors of paper
- Change lighting
- Different line spacing/color
- Darker lines on paper
- Raised lines on paper
- Limit amount of info on a page
- Use finger-for spacing strategy
- Peer support
- Multi-modality instruction

Material Accommodations

- Magnifying glass
- Magnifying bars
- Page magnifiers
- Slant boards
- Easel
- Paper holders
- Workstation copy holder
- Stencils
- Rulers
- Colored acetate sheets
- Colored stickers for visual cues
- Post-It tape flags
- Peer support
- Highlighter
- Word window
- Line marker
- Anti-glare shield on pages

Accommodations Technologies

- Mini book light
- Other additional lighting

Typewriter:
- Positioning device
- Positioning student
- Key labels
- Enlarge text output
- Change fonts
- Lighting issues
- Colored paper
- Correction tape, pen, fluid
- Typing/keyboarding instruction
- Peer support
- Cross-age tutoring

Word Processor:
- Positioning device
- Positioning student
- Key labels
- Portable/stationary preferences
- Lightweight options
- Down linking to computer
- Enlarge text
- Change font
- Colored paper
- Peer support
- Cross-age tutoring
- Typing/keyboarding instruction

Intervention Accommodations for Reading
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Modifications:	Magnifying bars	Digital Book System
Extra time for completion	Page magnifiers	Tape recorder
Shorten assignments	Colored acetate	"Books on Tape" Program
Simplify text	Word window	Record books/reading material
Highlight key concepts	Flash cards	Headphones
Provide chapter outlines	Letter cards	Language Master
	Word cards	Speaking Language Master
Instructional Strategies:	Sentence cards	Word Master
Story frame	Tactile letters and words	Electronic dictionary
Before, during, after	Magnetic board and letters	
Echo reading	Felt board and letters/words	
Use positive approach	Colored paper clips to mark pages	
Story mapping	Notebook tabs	
Vary approach	Post-It tape flags	
Multi-modality instruction	Peer support	
Information organizer	Highlighter	
Structured study guides		
What-you-need-to-know chart		
Study carrel		
Peer support		
Cross-age tutoring		

Intervention Accommodations for Written Expression
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Modifications:	Note cards	Tape record thoughts before writing
Extra time for completion	Word cards	Tape record story to proofread
Shorten assignments	Sentence cards	Headphones
	Clipboards	Electronic dictionary
Instructional Strategies:	Pocket dictionary	Electronic thesaurus
Utilize content outlines	Pocket thesaurus	Word Master
Webbing strategies	Peer support	Speaking Dictionary Companion
Process writing strategies	highlighter	Electric eraser
Writing/story starters		
Use positive approaches		
Study carrel		
Formulate sentences aloud		
Use finger-for-spacing strategy		
Color coding strategies		
Peer support		
Cross-age tutoring		

Intervention Accommodations for Daily Organization
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Bulletin board schedule	Pocket organizer/planner	Electronic memo/schedule masters
Pocket schedule	Personal organizer	Electronic pocket organizer/planner
Schedule in notebook	Clipboards	Schedule assignments on tape
Appointment book	Stapler	Digital diary
Assignment sheets	Peer support	Electric stapler
Reminder cards	Sticky notes for reminders	
Strategies to keep workspace clear	Notebook tabs	
Strategies to organize desk	Post-It tape flags	
Study carrel for individual work	Colored paper clips	
Color coding strategies	Highlighter	
Peer support	Storage cubicles	
Cross-age support		
Homework journal		
Structured study guides		
Post signs and label areas in room		
Tape a schedule on the desk		

Intervention Accommodations for Math
By Judy Marquette and CISC

Method Accommodations	Material Accommodations	Accommodations Technologies
Reduce the number of problems	Abacus	Hand-held calculator
Eliminate the need to copy problems	Counter spools, buttons, etc.	Calculator with printout
Enlarge worksheets	Containers for counters	Talking calculator
Avoid mixing signs on a page	Manipulatives	Language Master + Math
Provide more time for completion	Flash cards	Tape recorder
Graph paper	Set cards	Counting
Raised number lines	Flannel board and numbers	Basic facts
Large number lines	Tactile numbers/signs	Multiplication tables
Life-sized number lines	Automatic number stamp	Combinations
Mnemonic devices	Peer support	Formulas
2-finger counting aids	Highlighter	
	Personal chalkboard	
Instructional Strategies:	Number facts chart	
Multi-modality instruction		
Computational aids		
Color coding strategies		
Green marker to start/red to stop		
Peer support		
Cross-age tutoring		

APPENDIX J

BEHAVIORAL INTERVENTIONS AND DISCIPLINE

1. Definition of "Weapons" and "Controlled Substances"
2. Behavioral Interventions and Discipline
3. Intervention Strategies
4. Forms for
   - Functional Behavioral Assessments
   - Behavioral Intervention Plans
   - Manifestation Determinations
5. Clarification of E.D. Terminology

UNITED STATES CODE ANNOTATED
TITLE 18. CRIMES AND CRIMINAL PROCEDURE
PART I — CRIMES
CHAPTER 44 — FIREARMS

Current through P.L. 104-333, approved 11-12-96

§ 930. Possession of firearms and dangerous weapons in Federal facilities

* * *

(G) As used in this section:

* * *

(2) The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

UNITED STATES CODE ANNOTATED
TITLE 21. FOOD AND DRUGS
CHAPTER 13—DRUG ABUSE PREVENTION AND CONTROL
SUBCHAPTER I—CONTROL AND ENFORCEMENT
PART B—AUTHORITY TO CONTROL; STANDARDS AND SCHEDULES

Current through P.L. 104-333, approved 11-12-96

§ 812. Schedules of controlled substances

* * * * *

(c) Initial schedules of controlled substances

Schedules I, II, III, IV, and V shall, unless and until amended [FN1] pursuant to section 811 of this title, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

Schedule I

(a) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Acetylmethadol.
(2) Allylprodine.
(3) Alphacetylmathadol.
(4) Alphameprodine.
(5) Alphamethadol.
(6) Benzethidine.
(7) Betacetylmethadol.
(8) Betameprodine.
(9) Betamethadol.
(10)Betaprodine.
(11)Clonitazene.
(12)Dextromoramide.
(13)Dextrorphan.
(14)Diampromide.
(15)Diethylthiambutene.

[FN1] Revised schedules are published in the Code of Federal Regulations, Part 1308 of Title 21. Food and Drug.

(16)Dimenoxadol.
(17)Dimepheptanol.
(18)Dimethylthiambutene.
(19)Dioxaphetyl butyrate.
(20)Dipipanone.
(21)Ethylmethylthiambutene.
(22)Etonitazene.
(23)Etoxeridine.
(24)Furethidine.
(25)Hydroxypethidine.
(26)Ketobemidone.
(27)Levomoramide.
(28)Levophenacylmorphan.
(29)Morpheridine.
(30)Noracymethadol.
(31)Norlevorphanol.
(32)Normethadone.
(33)Norpipanone.
(34)Phenadoxone.
(35)Phenampromide.
(36)Phenororphan.
(37)Phenoperidine.
(38)Piritramide.
(39)Proheptazine.
(40)Properidine.
(41)Racemoramide.
(42)Trimeperidine.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine.
(2) Acetyldihydrocodeine.
(3) Benzylmorphine.
(4) Codeine methylbromide.
(5) Codeine-N-Oxide.
(6) Cyprenorphine.
(7) Desomorphine.
(8) Dihydromorphine.

(9) Etorphine.
(10)Heroin.
(11)Hydromorphinol.
(12)Methyldesorphine.
(13)Methylhydromorphine.
(14)Morphine methylbromide.
(15)Morphine methylsulfonate.
(16)Morphine-N-Oxide.
(17)Myrophine.
(18)Nicocodeine.
(19)Nicomorphine.
(20)Normorphine.
(21)Pholcodine.
(22)Thebacon.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers, and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) 3.4-methylenedioxy amphetamine.
(2) 5-methoxy-3,4-methylenedioxy amphetamine.
(3) 3,4,5-trimethoxy amphetamine.
(4) Bufotenine.
(5) Diethyltryptamine.
(6) Dimethyltryptamine.
(7) 4-methyl-2,5-dimethoxyamphetamine.
(8) Ibogaine.
(9) Lysergic acid diethylamide.
(10)Marijuana.
(11)Mescaline.
(12)Peyote.
(13)N-ethyl-3-piperidyl benzilate.
(14)N-methyl-3-piperidyl benzilate.
(15)Psilocybin.
(16)Psilocyn.
(17)Tetrahydrocannabinols.

Schedule II

(a) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), except that these substances shall not include the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine, its salts, optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the substances referred to in this paragraph.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

(1) Alphaprodine.
(2) Anileridine.
(3) Bezitramide.
(4) Dihydrocodeine.
(5) Diphenoxylate.
(6) Fentanyl.
(7) Isomethadone.
(8) Levomethorphan.
(9) Levorphanol.
(10)Metazocine.
(11)Methadone.
(12)Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane.
(13)Moramide-Intermidiate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
(14)Pethidine.
(15)Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.
(16)Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.
(17)Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.
(18)Phenazocine.

(19)Piminodine.
(20)Racemethorphan.
(21)Racemorphan.

(c) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers

Schedule III

(a) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.
(2) Phenmetrazine and its salts.
(3) Any substance (except an injectable liquid) which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.
(4) Methylphenidate.

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any substance which contains any quantity of a derivative of a barbituric acid, or any salt of a derivative of barbituric acid.
(2) Chorhexadol.
(3) Glutethimide.
(4) Lysergic acid.
(5) Lysergic acid amide.
(6) Methyprylon.
(7) Phencyclidine.
(8) Sulfondiethylmethane.
(9) Sulfonethylmethane.
(10)Sulfonmethane.

(c) Nalorphine.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 18 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(e) Anabolic steroids.

Schedule IV

(1) Barbital.
(2) Chloral betaine.
(3) Chloral hydrate.
(4) Ethchlorvynol.
(5) Ethinamate.
(6) Methohexital.
(7) Meprobamate.
(8) Methylphenobarbital.
(9) Paraldehyde.
(10)Petrichloral.
(11)Phenobarbital.

Schedule V

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.
(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.
(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.
(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(d) Repealed. Pub.L. 98-473, Title II, § 509(b), Oct. 12, 1984, 98 Stat. 2072

BEHAVIORAL INTERVENTIONS AND DISCIPLINE

This appendix describes the purposes and components of a functional behavioral assessment (FBA) and a behavioral intervention plan (BIP). These procedures, coupled with a well-defined school-wide discipline management system, are integral parts of an effective behavioral support system for children whose behavior interferes with their learning or the learning of others in an educational setting. Also described in this appendix is the manifestation determination review. All three of these procedures are important components of the federal regulations relating to disciplinary actions for children with disabilities.

A **functional behavioral assessment** (FBA) is a problem-solving strategy utilized by educators, parents, and agency personnel to design an effective plan for helping children learn and choose more appropriate behaviors. These interventions assist the child by specifically identifying these behaviors, as well as the overall context within which they occur. The outcome of an FBA is a behavioral intervention plan that defines the team's strategy for addressing the behaviors, including timelines, role responsibilities, and consequence methods. The FBA should be seen as part of a continuum of evaluation and re-evaluation procedures, not as an isolated practice reserved only for disciplinary proceedings.

In fact, during any educational evaluation of a child or review of a child's IEP, an FBA must be conducted if problem behaviors need to be addressed. The results are then considered during the development of the IEP. Documentation regarding intervention strategies that have already been tried, as well as the positive or negative results they achieved, is very important for ensuring a quality FBA and BIP.

If the IEP team determines that a child's behavior(s) is interfering with his or her learning, or that of other students, a **behavioral intervention plan** (BIP) must be developed. This plan consists of the positive intervention strategies and supports selected by the team to address the child's inappropriate behaviors. As with an FBA, however, a BIP is not only used to react to disciplinary situations, but may be created for any child demonstrating challenging behaviors. This is a tool that is often very effective in reducing the need for more extreme disciplinary measures, such as suspension or expulsion.

When suspension or expulsion of a child with disabilities is contemplated or does occur, however, it is a legal requirement for the IEP team and other qualified personnel to review the possible relationship between the child's behavior and the child's disability. This process is called a **manifestation determination**. If, through this process, the IEP team determines that the behavior in question is related to the child's disability, or is a manifestation of the disability, then suspension or expulsion of the child is not allowed. If the behavior is determined not to be a manifestation of the child's disability, the child may be suspended or expelled in the same manner as a child who does not demonstrate a disability, although special education services must still be provided.

Conducting an FBA, creating a BIP, and completing a manifest determination review may be fairly simple or quite complicated depending on the specific concerns of the child being addressed. Each of these procedures is described below in more detail.

SECTION 1. FUNCTIONAL BEHAVIORAL ASSESSMENT

Definition

As noted above, an FBA is a procedure for gathering information that can be used to help identify the function of a child's behavior. The specific components of an FBA are described next.

Components and Processes

A functional behavioral assessment requires educators to be observant and to consider the world from the child's perspective. The components and steps in the process are the following:

1. **Define the problem**: Ask yourself, "What is the behavior, or behaviors of most concern?" If there are several behaviors identified, choose one or two on which to focus.

   Outcome: A clear written description of the problem behavior.

2. **Gather information**: Consider medical, physical, social concerns, eating, diet, sleep routines, substance abuse history, and stressful events. Ask the child and parents for information related to the behavior selected

   Outcome: Specific biological, physiological, or environmental factors that have a causal effect on the behavior may surface.

3. **Identify events, times, and situations**: Answer key questions that consider when the behavior usually occurs and usually does not occur, such as, "Who is there? What is going on at the time? When does it happen?"

   Outcome: The ability to predict when the problem behaviors will and will not occur across the full range of typical daily routines.

4. **Identify the consequences that maintain the behavior**; This includes information about what happens after the behavior that increases the likelihood the student will perform the behavior again in the same circumstances.

   Outcome: Determination of what function each problem behavior appears to serve for the student.

5. **Development of a theory**: This would include one or more summary statements as to why the student uses the problem behavior. What is the functional intent of the student's behavior?

   Outcome: One or more hypotheses that describe specific behaviors, the situations in which they occur, and the outcomes maintaining the behavior in that situation.

Adapted from O'Neill, Horner, Albin, Sprague, Storey, Newton. (1997). Functional Assessment and Program Development for Problem Behavior: Pacific Grove, CA: Brooks/Cole Publishers.

SECTION 2. BEHAVIORAL INTERVENTION PLAN

Definition

A behavioral intervention plan (BIP), guided by information gained from an FBA, is the overall strategy the team has designed to increase or reduce a definable set or pattern of behaviors demonstrated by a child. This strategy may include the following:

- Teaching preventive and de-escalation techniques to staff, parents, and peers.
- Teaching crisis-response techniques.
- Teaching the child appropriate replacement behaviors.
- Providing positive and negative consequences to the child.

Components of a Behavioral Intervention Plan

Although each BIP will differ according to the needs demonstrated by different children, some common aspects of most BIPs include the following:

- Defining the target behavior in measurable terms.
- Changing some of the who, what, when, and where information derived from the FBA.
- Teaching the child new ways to meet his or her needs (i.e. identifying another behavior or skill that will be taught so the child can accomplish his or her purpose in a more acceptable way).
- Teaching others, including staff members and peers, how to react to the child's behavior in a way that will reinforce appropriate behavior.
- Teaching how to manage a crisis situation, if appropriate.

- Creating an appropriate data collection system that measures progress toward the desired goals and objectives of the plan.
- Scheduling a review date to reconsider the plan.

A form for recording the BIP is provided in this appendix. However, districts are not required to use this form.

Prior to the Implementation of the Behavior Intervention Plan

Prior to implementing a behavior intervention plan, all staff dealing with the child must be trained to execute the plan consistently. A time line for collecting necessary materials, making environmental arrangements, training staff, and starting the plan also needs to be established. Specific tasks should be clearly assigned to all the individuals involved. Once this is accomplished, the plan is ready to implement.

Following the Implementation of the Behavioral Intervention Plan

After the BIP has been implemented for at least two weeks, the team should meet and review the impact the plan is having. Part of this review should consider how successfully the BIP has been implemented and followed by staff members, as well as how successful the BIP has been in preventing or changing the target problem behavior. If the procedures and steps that have been taken are determined ineffective, alternative interventions may be selected. If interventions are repeatedly found to be ineffective, the IEP team may wish to consider further evaluation or a different placement.

The Use of Extraordinary or Alternative Procedures

No reasonable or valid procedure is excluded from being used in a BIP. However, discipline management procedures must be selected and supervised with the utmost care. These procedures may include time-outs, physical restraints, or "room clears," etc. If any extraordinary procedures are required, they shall be considered by the IEP team (including the parent), who must:

- Document the validity of the procedure.
- Document the need for the procedure with objective data.
- Document the training of the staff who will use the procedure.

SECTION 3. MANIFESTATION DETERMINATION

In conducting a manifestation determination review, the IEP team and other qualified personnel may determine that the behavior of the child was not a manifestation of the child's disability **only** if they:

A. First consider all relevant information including the following:

  - Whether a child exhibited similar behavior in the past that was attributed to a disability.
  - The child' IEP, including supplementary aids and services.
  - Evaluation and diagnostic results (e.g. F.B.A.) including information supplied by the student and the parent.
  - Observations across educational or activity settings.
  - Events immediately proceeding the occurrence of the behavior.
  - The extent to which the student's disability impaired his/her awareness and understanding of the impact and consequences of the behavior.

B. And then determine that:

  - The child's IEP and placement were appropriate.
  - And the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the child's IEP and placement.
  - And the child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.
  - And the child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.

When the IEP Team Determines that Behavior is not a Manifestation of a Child's Disability

If the IEP team determines that a child's behavior is not a manifestation of the child's disability, then the child is subject to the same disciplinary measures as a child without a disability. If the child's parents do not agree with the IEP team's determination, a due process hearing may be initiated. During the pendency of the procedures, the "stay put" provision will be in effect unless a placement change is agreed to by all parties. An expedited hearing can be held if the school believes the child is a danger to self and others.

INTERVENTION STRATEGIES

- **Appropriate & Motivating Curriculum**
  A curriculum too difficult or easy is likely to increase inappropriate behavior
- **High Rate of Positive Responses from Teachers**
  Teachers must create a positive environment by frequently reinforcing the student for appropriate and correct responses.
- **Structured Daily Schedule**
  Unengaged time is likely to accelerate a student's inappropriate behaviors. A daily schedule must be prepared to maximize on-task behavior.
- **Staff Training**
  All staff must be thoroughly trained in the use of the interventions.
- **Environmental Engineering**
  The arrangement or manipulation of the physical environment and stimuli is important to facilitate appropriate responses and avoid disruption.
- **Instructional Pacing**
  The rate at which the teacher presents instructional material to the learner.
- **Home Notes**
  The purpose of home notes is to provide clear, precise communication between school and home.
- **Precision Commands**
  Precise verbal statements to enhance compliance.
- **Data Collection**
  Collecting information; evaluating the data.
- **Parent Conference**
  Parent must be involved in problem resolution.
- **Special Equipment**
  Consider the need for adaptive equipment.

- **Supervision**
  School staff must provide adequate and appropriate supervision.
- **Self-Management Procedures**
  Student is taught how to monitor and manage his or her own behavior.
- **Behavioral Momentum**
  Student is given a series of high compliance requests before a low probability compliance request.
- **Behavioral Contracting**
  Written documents are mutually agreed upon between the student and the teacher specifying expected behaviors and consequences.
- **Token Economy**
  A student is rewarded for behavior that is occurring with tokens that can later be exchanged for reinforcers.
- **Modeling/Differential Reinforcement of Appropriate Behavior**
  A student learns behavior by observing a modeled response or practicing the desired behavior.
- **Prompting**
  A visual, auditory, or physical cue is presented to the student in order to facilitate a given response.
- **Peer Involvement**
  The use of same and/or cross-age peers for structured social engagements and as "buddies."
- **Meaningful Work Projects**
  Students participate in a "jobs program" within the school in which they are viewed as valuable, contributing employees of the school.
- **Positive Practice Over-Correction**
  Students intensely practice the appropriate behavior for a time period or a specific number of appropriate behaviors.

FORMS

1. **Functional Behavioral Assessment**

   Step 1: Define the Problem
   Step 2: Gather Information
   Step 3A: Identify Events, Times, and Situations
   Step 3B: Recording Behaviors & Data Collection
   Step 4: Identify Consequences Maintaining Behavior
   Step 5: Develop a Theory

2. **Behavioral Intervention Plan**

   Step 1: Develop a Plan
   Step 2: Prior to Implementation
   Step 3: Reconsider the Plan

Functional Behavioral Assessment
Step 1: Define the Problem

Student's Legal Name ____________________ Date __________

Describe the problem in observable behavioral terms. Be as specific as possible, describing the problem or problems that you are concerned about. Label them according to their seriousness (destructive, disruptive, or distracting). Circle the behavior(s) that you will begin to work on first.

Description of Problem Behavior

1.

Level of Seriousness ☐ Destructive ☐ Disruptive ☐ Distracting

2.

Level of Seriousness ☐ Destructive ☐ Disruptive ☐ Distracting

3.

Level of Seriousness ☐ Destructive ☐ Disruptive ☐ Distracting

4.

Level of Seriousness ☐ Destructive ☐ Disruptive ☐ Distracting

Functional Behavioral Assessment
Step 2: Gather Information

Student's Legal Name ______________________________ Date ______________

Consider the following factors and gather any relevant information that has an impact or may impact behavior of the student.

1. Medical, physical and social concerns (such as medications, illnesses, disfigurements, allergies, lack of friends, inappropriate sexual contacts)

2. Eating, diet, and sleep routines

3. Substance abuse history (types, frequency of use, when and where use occurs, legal problems related to abuse, recent increase or decrease in use)

4. Stressful events and family history (family information, siblings, difficult transitions, emotional losses, etc.)

Functional Behavioral Assessment
Step 3A: Identify Events, Times, and Situations

Student's Legal Name ______________________ Date __________

Target Behavior ______________________

Answer these key questions regarding the target behavior.

WHO IS PRESENT…
When the behavior tends to occur?

When the behavior almost never occurs?

WHAT IS GOING ON…
When the behavior tends to occur?

When the behavior almost never occurs?

WHEN DOES THE BEHAVIOR…
Tend to occur?

Almost never occur?

WHERE DOES THE BEHAVIOR …
Tend to occur?

Almost never occur?

HOW OFTEN DOES THE BEHAVIOR OCCUR…

Per hour? __________ Per day? __________ Per week __________

HOW LONG DOES THE BEHAVIOR OCCUR…

Per episode? ______________________

Functional Behavioral Assessment
Step 3B: Recording Behaviors & Data Collection

Student's Legal Name ______________________________ Date(s) __________

Person Recording: ______________________________ __________

Target Behavior(s) ______________________________ __________

When? Time, Day, Date	What happened before the behavior occurred?	Describe the behavior. Include how intense, long, or how many?	What happened after the behavior occurred?

Note: This is one sample of an observation form that a person can use to collect observable data. Any form that records the triggers, behavior, and consequences (A-B-C Behavior Model) will work. Ensure that the form enables the observer to record all relevant, necessary information.

Functional Behavioral Assessment
Step 4: Identify Consequences Maintaining the Behavior

Student's Legal Name ______________________ Date __________

Target Behavior: ______________________

Answer these key questions regarding what happens after the behavior occurs?

WHAT ARE THE REACTIONS...

of other people in the environment?

of the student towards the other people?

WHEN THE BEHAVIOR OCCURS, WHAT DO...

teachers do?

peers do?

parents do?

WHAT CONSEQUENCE METHODS HAVE BEEN USED...

in the past at school and how did they work?

at home and how did they work?

WHAT SEEMS TO IMPROVE THE BEHAVIOR...

in a short period of time?

if all else fails?

Functional Behavioral Assessment
Step 5: Develop a Theory

Student's Legal Name ______________________________ Date __________

Target Behavior: ____

Now you **NEED** to decide what purpose the behavior is serving the student. Use the who-what-where-when information to think about the situations in which the behavior occurs. Do you see any consistent patterns in the information that triggers the behavior or a consequence after it occurs? Remember, specific behaviors may serve more than one purpose for the student. You may find the checklist to be helpful in developing a theory.

Figuring Out the Purpose of Problem Behaviors

N	S	O	N=Never S=Sometimes O=Often
			The purpose of the behavior may be **ATTENTION** if...
___	___	___	It occurs when you are not paying attention to the student (e.g., you are talking to someone else in the room, talking on the phone, too busy to have a chat, etc.)
___	___	___	It occurs when you stop paying attention to the student.
			The purpose of the behavior may be to **GET/OBTAIN SOMETHING** if ...
___	___	___	It occurs when you take away a favorite activity, food, toy, free time, etc.
___	___	___	It stops soon after you give the student what he or she seems to want or has recently requested
___	___	___	It occurs when the student can't have what he or she desires.
			The purpose of the behavior may be **ESCAPE/ADVOIDANCE** if...
	___	___	It occurs when you ask the child to do something (e.g., getting ready to change activities, write assignments, speak in front of peers, read in class) that he or she doesn't seem to like or want to do.
___	___	___	It stops after you stop "making demands."
			The purpose of the behavior may be **PLAY** if...
___	___	___	It occurs over and over again in a cyclical manner with friends or peers.
___	___	___	It would occur when no one else is around or the student seems to enjoy performing the behavior (e.g., smiles, laughs).
___	___	___	The student seems to be in his or her "own world" and can't do other things at the same time

Functional Behavioral Assessment
Step 5: Develop a Theory

N	S	O	N=Never S=Sometimes O=Often
			The purpose of the behavior may be **SELF STIMULATION** if...
___	___	___	It tends to be performed over and over again, in a rhythmic or cyclical manner.
___	___	___	It tends to happen when there is either a lot going on or very little (e.g., noise, movement, people, activity).
___	___	___	The student can still do other things at the same time as performing the behavior.
			The purpose of the behavior may be **CONTROL/POWER** if ...
___	___	___	It tends to be bossy.
___	___	___	The student wants to show others they can't be pushed around.
___	___	___	The student often refuses to comply and seems to want to disrupt the established order.

THE MAIN PURPOSE OR FUNCTION OF THE BEHAVIOR IS...

*Adapted from Durand & Crimmins, 1988

Behavioral Intervention Plan
Step 1: Develop a Plan

Student's Legal Name ______________________ Date __________ Review Date: __________

Target Behavior (State in observable terms and identify the data collection system to measure progress):

____

____

Components of a Behavioral Intervention Plan (BIP):

Preventing: How will situations (who-what-when-where) change that seem to be associated with the behavior?

Teaching: What other behavior or skill will be taught to the student so he or she can accomplish their purpose in a more acceptable way?

Reacting: How will people react when the problem behavior occurs in a way that does not feed into the student's purpose or cause the adult greater upset and stress?

Preventing	Teaching	Reacting/Crises Management

620

Behavioral Intervention Plan
Step 1: Continued

Student's Legal Name ______________________ Date __________ Page ______

Target Behavior (State in observable terms and identify the data collection system to measure progress):

Preventing	**Teaching**	**Reacting/Crises Management**
030		031

Behavioral Intervention Plan
Step 2: Before Implementing the Plan

Student's Legal Name ______________________________ Date __________

What arrangements need to be made to follow through with the plan? What is the time line for getting materials, training, and starting the plan?

Materials needed: ______________________________

Help from others needed: ______________________________

Person	Task	Date to Initiate/ Complete

Behavioral Intervention Plan
Step 3: After Implementing the Plan

Student's Legal Name ______________________________ Date __________

At this point, carefully consider success at both following through with the plan and with preventing or changing the problem behavior that is being addressed.

Has everyone been able to follow the plan that was written...

For preventing:

For teaching:

For reacting:

For crisis management:

Do you feel that the theory about the purpose of the behavior was correct?

What positive changes have you seen?

What areas of the plan need to be continued?

What areas of the plan need to be changed?

MANIFESTATION DETERMINATION WORK SHEET

Student: ____________________ Date: __________

Special Education Disability: ______________________________

Section 504/ADA Impairment: ______________________________

Student Number ________

Manifestation Team Members (by name and role)

______________________________ ______________________________

______________________________ ______________________________

______________________________ ______________________________

Sources of Information (attachments)

_____ F.B.A. _____ Evaluations _____ Interviews _____ Observations _____ B.I.P

Description of misconduct:

Description of proposed disciplinary action:

Does the proposed disciplinary action constitute a change of placement (e.g., more than 10 consecutive days)?

__________ If **NO**, proceed with disciplinary action.

__________ If **YES**, continue with manifestation determination review.

A. NATURE OF THE DISABILITY

1. What is the student's disability? (Specify behavioral characteristics and severity.)

2. What major life functions are impacted? (Include a description of how the disability influences academic and /or social performance.)

3. To what extent are those major life areas impacted? (Include a description of the **student's strengths**, **deficits**, and **coping strategies**.)

4. To what extent, if any, does the disability preclude the student from having the capacity to know that engaging in the behavior was wrongful?

5. To what extent, if any, does the disability impair the student's awareness and understanding of the impact and consequences of such behavior?

B. REVIEW OF DISCIPLINARY RECORDS

1. What is the behavioral history of the student? (Include a description of severity, setting, and frequency.)

2. What is the history of behavioral interventions? (Include a description of how long the behavior has been occurring untreated, settings where interventions have been applied, and results of the behavioral techniques used to date.)

3. Did the student exhibit similar behavior in the past that was attributable to the disability? (If yes, provide the approximate date(s), specific behavior, and resulting intervention and discipline).

C. ROLE OF IMPULSIVITY

1. To what extent, if any, does the disability impair the student's behavioral controls? (Include a description of specific characteristics related to the disability and the student's ability to consider long range consequences before acting.)

2. To what extent, if any, does the student's behavior demonstrate a pattern of impulsivity?

3. What are the discrepancies between the student's behavior in the home setting and the school setting?

4. To what extent, if any, are the current and previous act(s) of misconduct related to impulsivity?

D. FINAL DETERMINATION

Based on the above factors, is there a relationship between the student's misconduct and his or her disability?

_______ YES　　　　　_________ NO

If **YES**, the IEP Team should reevaluate the student's IEP, including the appropriateness of the placement.

If **NO**, the student is subject to the same discipline procedures applicable to non-disabled students (except that under the IDEA 97 educational services may not cease).

CLARIFICATION OF EMOTIONALLY DISTURBED TERMINOLOGY

The following information is provided to help clarify the meaning of some words and phrases commonly associated with the eligibility category *emotionally disturbed (ED).*

Long Period of Time

Transitory Situations

Refers to situational problems that may be understandable given the nature of the circumstances. For example, a death in the family, divorce, moving to a new school, financial crisis, physical illness or injury may produce transitory behavior changes. In general, a crisis is a temporary period of instability, bounded by times of greater stability. Periods of instability tend to be time limited; six to eight weeks for example.

Nontransitory Situations

Refers to behavior changes that do not return to the adaptive state that existed prior to a precipitating event. To determine this requires evidence of appropriate behavioral functioning prior to a significant negative change in behavior. Historical information is very important in this process.

Chronological Age

"Long period of time" should be considered in relation to the chronological age of the student. Less than a year may be a long time for a young child, while the same period of time may not be long for a teenager.

In Regards to Specific Conditions

Using commonly accepted professional criteria and standards, such as DSM-IV, maladaptive behavior may need to exist for a minimum length of time before being considered to meet the criteria of "long period of time". For example, behaviors commonly associated with schizophrenia must persist for at least six months before a certification can be recommended. Six months is commonly used for other behavior disorders as well.

Marked Degree

In order to quantify "to a marked degree," the following questions should be answered:

- Is the behavior in question considered a significant problem by more than one observer and in more than one setting?
- What is the frequency, intensity and/or duration of the behavior? Is the frequency, intensity and/or duration significantly different from that of a similar child in the same or similar circumstances?

- In which settings does the behavior occur?
- Are there noticeable or predictable patterns to behavior?
- How does the behavior affect others?
- Is the behavior identified as a concern by norm-referenced behavior measures?

Test Data

Results from standardized and/or norm-referenced instruments are used to substantiate "to a marked degree," but are not to be the sole source of information. Observable events are to be documented using appropriate instruments, interview formats and structured observations. Results obtained from personality inventories and/or projective instruments should be substantiated by behavioral examples.

Adversely Affects Educational Performance

In order for an IEP team to determine that a child is demonstrating an emotional disturbance, there must be evidence that the child's educational performance is adversely affected. In addition, there must be a demonstrated linkage between the student's behavior and decreased educational performance.

In order to measure the degree to which educational performance is adversely affected, the following questions should be addressed:

- Is the child's educational performance substantially within the range expected for his/her chronological age?
- If performing below academic expectations, is the probable cause emotional or behavioral problems?
- Are the emotional or behavioral problems affecting the educational performance of this child to a greater degree than similar problems affect the performance of peers?
- Does the child achieve passing grades? Is there regular academic growth? Has the child been held back?
- Is the child absent frequently? If so, how has the child's grades been affected?

Qualifying Characteristics

An inability to learn which cannot be explained by intellectual, sensory, health factors:

- Inability to learn: A discrepancy between the ability to learn in relation to how much is being learned.

- Primary Handicap: Reduced (retarded) cognitive skills, sensory deficits, or health impairment cannot be the primary cause of the discrepancy. A specific learning disability may exist, but cannot be the primary cause of the behavioral/emotional problem.

An inability to build or maintain satisfactory interpersonal relationships with peers and teachers

- Interpersonal Relationships: Focus is on the "inability to build or maintain" satisfactory relationships with others. Does not refer to students who have problems with a particular teacher or with one or more peers. Relationship problems which are pervasive. Difficulty in establishing and maintaining group membership. Conflict and chaos characterize all relationships.
- Relationships and Settings: May include those who are profoundly withdrawn, have poor reality contact, lack social skills but have the ability to learn them. Does not include students who have appropriate, satisfactory relationships with peers in their subculture, yet violate community norms.

Inappropriate types of behavior or feelings under normal circumstances

- Significantly Inappropriate Behaviors: Would include bizarre verbalizations, overreactions, repeated recitation of words, fetishes, and obsessive and compulsive behaviors. Would also include inappropriate sexual behaviors such as inappropriately touching others, public masturbation, unusual or provocative sexual verbalization.
- Significantly Inappropriate Feelings: Must have documentation that persistent and significantly inappropriate feelings exist which are not justified by circumstances. Documentation to include negative self statements as well as feelings which are reflected in and inferred from observable behavior.

A generally pervasive mood of unhappiness or depression

- Severe Unhappiness or Depression: Manifested in different ways in different children. Signs may include constant crying, withdrawal, boredom, listlessness, as well as angry, aggressive or agitated behavior. Eating and sleeping problems, or loss of interest in usual activities are also signs, as are feelings of hopelessness and suicidal tendencies.
- Situation-Specific Depression: Would not include feeling depressed about a death in the family or divorce of parents, which are situation specific and for the most part normal and tend to be "resolved" (i.e., satisfactory level of appropriate equilibrium) within six to eight weeks.

A tendency to develop physical symptoms of fears associated with personal or school problems.

- Persistent Physical Symptoms: Chronic, as opposed to acute, physical reaction to some situation at home or school. Would include such reactions as headache, nausea, asthma, ulcers, colitis, etc. Would require medical evidence that the problem does not have a physical origin. Must have negative impact on learning. Need to obtain data across settings and over time.
- School Phobia (refusal): Although this condition meets criteria for eligibility and certification, placement would probably not be recommended. Other less restrictive treatment interventions (systematic desensitization) are likely to resolve the problem.

Behavior Patterns Excluded from Emotional Disturbance Eligibility

- Children who persistently violate the basic rights of others and major age-appropriate societal norms have serious conduct problems which are very disturbing, especially in school. However, they **do not** qualify as ED. Children with a conduct disorder tend to manifest the following behaviors: stealing, running away from home, lying, deliberately setting fires, often truant from school, breaking into some else's home, deliberately destroying property, cruel to animals, often initiates physical fights and physically cruel to people. School and/or community-based interventions are to be pursued.

- Children who are negativistic, hostile and defiant present significant management problems for teachers and administrators. Their behavior is characterized as "oppositional" and includes: frequent loss of temper and arguments with adults, defying adult requests, deliberately annoying other people and being annoyed by others, blaming others for their own mistakes, frequently angry, resentful, spiteful or vindictive and frequently uses obscene language. Children who tend to manifest these behaviors **are not** considered emotionally disturbed. School and/or community-based interventions are to be pursued.

GLOSSARY OF COMMONLY USED TERMS

1. Definitions
2. Acronyms & Abbreviations

DEFINITIONS

Accomodations – As used in testing, accommodations are alterations in how a test is presented to the test taker or how the test taker responds. Accommodations include a variety of alterations in presentation format, response format, setting in which the test is taken, timing, or scheduling. The alterations do not substantially change level, content, or performance criteria. The changes are made in order to "level the playing field;" that is, to provide equal opportunity to demonstrate what is known.

Adaptations - Any adjustments or modifcations in environment, instruction, or materials used for learning that enhances the student's performance or allows participation in an activity.

Adaptive Behavior - The effectiveness with which the individual meets the standards of personal independence and social responsibility expected of his or her age and cultural group. An assessment of a child's adaptive behavior is a required component of the mental retardation eligibility category.

Adult services - Means health, social, housing, transportation and/or employment opportunities normally provided for persons age 18 or older through public, non-public, non-profit agencies.

Age of majority - The age of majority in Alaska is 18 years. One year before the date of the student's 18th birthday, the district must provide notice to the student and the parents of the transfer of rights.

Alternate assessment – The alternate assessment is currently being developed by the department as part of Alaska's statewide assessment system. It is intended for students with significant disabilites who are involved in a functional, basic skills program, rather than the standard curriculum. Students who take the alternate assessment will not be eligible for a regular high school diploma; they will receive a certificate of attendance. IEP Teams will decide whether the student takes the alternate assessment. The alternate assessment is scheduled to be completed by July 1, 2000.

Appropriate educational program - Individually planned instruction with sufficient support services to permit the child to benefit educationally from instruction.

Assistive technology device - Means any item, piece of equipment or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain or improve functional capabilities of individuals with disabilities.

Assistive technology service - Means any service that directly assists an individual with a disability in the selection, acquisition or use of an assistive technology device. The term includes:

A. The evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment.
B. Purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities.
C. Selecting, designing, fitting, customizing, adapting, applying, retaining, repairing or replacing of assistive technology devices.
D. Coordinating and using other therapies, interventions or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs.
E. Training or technical assistance for an individual with a disability, or when appropriate, that individual's family.
F. Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

Audiology - includes:

A. Identification of children with hearing loss.
B. Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing.
C. Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading,) hearing evaluation, and speech conservation.
D. Creation and administration of programs for prevention of hearing loss.
E. Counseling and guidance of pupils, parents, and teachers regarding hearing loss.
F. Determination of the child's need for group and individual simplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

Behavior Intervention Plan (BIP) - A behavioral intervention plan is comprised of practical and specific strategies designed to increase or reduce a definable set or pattern of behaviors exhibited by a student. These strategies address preventive techniques, teaching replacement behaviors, and how to react to the behavior of concern. The BIP is often developed in conjunction with a functional behavioral assessment (FBA).

Benchmarks - A term that can be used interchangeably with short term objectives in the goal setting section of the IEP. Benchmarks are used for broad life skills to be acquired rather then discrete academic tasks. The benchmarks are measurable and must be linked to the measurable annual goal.

Child - A person between birth and 21 years of age who is disabled or who is suspected of having a disability, whether or not enrolled in a public or private education program. The term also includes children who have not yet been enrolled in school but about whom an educational record has been created, maintained or used.

Child with a disability - Means a child demonstrating one or more of the following: autism, deaf-blindness, mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), emotional disturbance, orthopedic impairments, other health impairments, preschool developmental delay, traumatic brain injury, or specific learning disabilities; and who by reason thereof, needs special education and related services.

Competency/Incompetency - Competency is a legal concept referring both to the right, and the ability, of a person to manage his/her own affairs and to make decisions affecting himself/herself. A competent person is entitled to make his own decisions; an incompetent person has a legal representative, or "guardian," who makes decisions on behalf of the incompetent person. This guardian should not be confused with the attorney for an individual -- an attorney merely represents the wishes of his client, while the guardian of an incompetent person substitutes his judgment for that of the incompetent individual.

Adults (majors) are presumed competent, while minors are presumed incompetent. The presumed incompetence of a minor can be overcome by "emancipation" or can be modified by laws pertaining to certain proceedings. The presumed competence of an adult can be overcome by special judicial proceedings to declare him incompetent - proceedings for "interdiction" or for a "continuing tutorship". Without clear proof of interdiction or continuing tutorship, adults must be treated as competent and allowed make their own decisions.

Content standards – The State Board of Education has adopted into regulation Content Standards in ten core subject areas (English/language arts, mathematics, science, geography, government & citizenship, history, skills for a healthy life, arts, world languages, technology, and employability). Content standards are broad statements of what students should know and be able to do as a result of their twelve years of public schooling.

Continuing and adult education - Means organized educational programs conducted by qualified personnel for individuals who have graduated or left high school.

Counseling services - Means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

Day, Business Day, and School Day-
1. "Day" means calendar day.
2. "Business day" means Monday through Friday (except for federal and state holidays unless holidays are specifically included).
3. "School day" means any day or partial day that children are in attendance at school for instructional purposes.

Development of the IEP - Is a discussion by the IEP Team during the IEP meeting or meetings regarding each component of the IEP;.

Disability - Under P.L. 105-17 children with disabilities are those who meet the following three criteria:
1. The child has a physical or mental disability.
2. The presence of such physical or mental disability has adversely affected the educational performance of the child.
3. Because of such physical of mental disability the child is in need of special education and related services.

Section 504 defines a person with a disability as

> "Any person who has a physical or mental disability which substantially limits a major life activity or has a record of such disability or is regarded as having such a disability."

Due Process Hearing - If at any time the district and parent can not come to agreement with the school regarding a child's education, the parent has the right to ask for an impartial hearing. A district may also initiate a hearing. An impartial hearing officer will be assigned to preside over any such hearing and arrive at a decision.

Early identification - Means the implementation of a formal plan for identifying a disability as early as possible in a child's life.

Education performance - Performance in school, or in the case of pre-school children with disabilities, performance in an age-appropriate setting

Education record - A record that is directly related to a student and maintained by a district or by a party acting for the district. Included in this are medical and psychological reports and records, and any records of test results.

The term does not include:

A. Records of instructional, supervisory, and administrative personnel (and educational personnel ancillary thereto) which are in the sole possession of the person who made them and which are not accessible or revealed to any other individual except another person who performs on a temporary basis the duties of the person who made the record.
B. Test instruments (as distinguished from test results), test booklets and other testing materials.
C. Certain records maintained by law enforcement units of education agencies.
D. Records maintained about student employees.
E. Records maintained about students who are 18 years of age or who are enrolled in an institution of post-secondary education.

Educational Service Agency (ESA)- Means a regional public multiservice agency authorized by State law to develop, manage, and provide services or programs to local educational agencies. An ESA is also recognized as an administrative agency for purposes of the provision of special education and related services provided within public elementary and secondary schools of the State and includes any other public institution or agency having administrative control and direction over a public elementary or secondary school.

Emancipation - A legal process for freeing a minor from all or part of the restrictions of childhood, including the presumption of legal incompetency.

Emotional Disturbance (ED) - formerly known as Serious Emotional Disturbance; see eligibility section for a detailed description of this disability.

Equally effective - A nonacademic or extracurricular service or activity must afford a child with a disability an equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement.

ESY (Extended School Year) - Extended school year services means special education and related services that meet state standards and are provided to a child with a disability beyond the normal school year, in accordance with the child's IEP, and at no cost to the parents of the child.

Evaluation - Means procedures used in accordance with 20 U.S.C. §1414(a-c) to help determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively with an individual child and does not include basic tests administered to, or procedures used with, all children in a school, grade or class.

Excess cost - Those costs that are in excess of the average annual per-student expenditure in a local educational agency during the preceding school year for an elementary or secondary school student, as may be appropriate, and which shall be computed after deducting—

- (A) Amounts received
  - (i) under part B of this title;
  - (ii) under part A of title I of the Elementary and Secondary Education Act of 1965; or
  - (iii) under part A of title VII of that Act; and
- (B) Any State or local funds expended for programs that would qualify for assistance under any of those parts.

Exit exam – In 1997, the Alaska Legislature enacted a law requiring all Alaska high school students to pass an examination in reading, writing and mathematics before they can receive a high school diploma. Students must pass the Alaska High School Graduation Qualifying Examination in addition to completing all course requirements. Students who do not pass the examination will receive a certificate of attendance. Beginning with the graduating Class of 20002, all students must pass the High School Graduation Qualifying Examination.

Free and appropriate public education (FAPE) - The term "free appropriate public education" means special education and related services that

- A. Have been provided at public expense, under public supervision and direction, without charge;
- B. Meet the standards of the State educational agency;
- C. Include an appropriate preschool, elementary, or secondary school education in the State involved; and
- D. Are provided in conformity with the individualized education program required under section 614(d)

Full interdiction - An extreme measure taken to judicially declare an adult incompetent, rendering him or her legally incapable of decision-making, and giving authority for decisions to the interdict's guardian, the curator. Interdiction is only available when a temporary or permanent physical or mental illness or disability, or habitual drunkenness make the individual incapable of taking care of his personal needs and of administering his own property ("estate"). It is the requirement of incapacity to take care of person and property which distinguishes "full" from "limited" interdiction; one's person or property.

An interdicted person cannot vote, enter into contracts, sue others, operate a motor vehicle, or leave the state without judicial order. Thus, interdiction is an extreme, last resort. As in continuing tutorship, the authority and responsibility to make decisions regarding person or property are taken from the individual and granted to his guardian, the curator. If interdiction is granted, all acts by the interdict are without effect as of the date the petition for interdiction was filed.

Functional behavioral assessment (F.B.A.) -The process of coming to an understanding of why a student engages in challenging behavior and how a student's behavior relates to the environment. This type of assessment can provide an IEP Team with useful data in order to design effective behavior intervention plans that assist the student in developing more appropriate behaviors and reducing inappropriate behaviors.

Functional vocational evaluation - Means the assessment of occupational interests, aptitudes and preparation opportunities.

General curriculum - Means the same curriculum as for nondisabled children.

Guardian - A private individual who has been given the legal custody of a child by a court of a state or by the operation of the laws of a state.

Hearing impaired - Condition of being deaf or hard of hearing.

Identify and locate - This involves the process of providing written notice to the parent of a child that the district has reason to believe that his/her child may have a disability and require special education and related services. Such children may include those not yet of school age, as well as those enrolled in school (public or private), charter school, correspondence school, or educational programs in correctional facilities in the district. This process may also involve children who have voluntarily or involuntarily left school (without graduating) who are still of school age .

Independent educational evaluation - An evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question. The primary purpose of the independent educational evaluation is to determine eligibility, not to develop the IEP.

Independent living - Means initiating, maintaining and/or actively participating in a household using self-generated resources.

Individualized Education Program (IEP) - Written statements, developed by the IEP team translating child assessment information into a practical plan for specially designed instruction and delivery of services.

Individualized Family Service Plan (IFSP) - Required by IDEA under Part C for infants and toddlers receiving early intervention services; the idea combines the IEP notion of planning with the idea that the family is critical to infant development.

Informed consent – Informed consent means that

A. A child's parents have been fully informed, in the parent's native language or other mode of communication, of all information relevant to the activity for which consent is sought.
B. The parent understands and agrees in writing to the carrying out of the activity for which the consent is sought.
C. The consent describes that activity and lists any records that will be released and to whom.
D. The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. However, parents may not retroactively revoke consent for actions that have already been taken by the district.

Integrated employment - Means paid work in sites and settings that are not unique to individuals with disabilities.

Interim Alternative Educational Setting (IAES): A setting, other than the student's current educational placement, where the student might still receive F.A.P.E. The setting is determined by the IEP Team and is selected so as to enable the student to continue to participate in the general curriculum and to continue to receive those services and modifications, included in the student's current IEP. Due to a disciplinary action, a change in placement may be ordered for a student with a disability

A. To an appropriate educational setting, another setting, or suspension for not more than 10 school days (to the extent that such alternatives would be applied to students without disabilities)
B. To an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than 45 days if the student carries a weapon or knowingly possess drugs.

Involuntary commitment - If an individual has been found by a court of competent jurisdiction to be dangerous to self, or not capable of caring for himself or his personal safety or either, or has been found not guilty by reason of insanity or presently lacking the mental capacity to proceed to trial, then the individual may be remanded to the custody of DHSS to provide appropriate living options and services.

Itinerant Services - Means services provided by a special education teacher or related service provider to assist a regular teacher, or a classroom aide in serving children with disabilities. The Itinerant Service provider must develop and plan the program of a child with a disability when a teacher or teacher aide provides the direct services to the child. Supervision must be on-site, at least monthly, and included on the IEP of a child with a disability.

Least Restrictive Environment (LRE) - Each child with a disability is to be placed in an instructional setting that most closely approximates the learning environment of his/her non-disabled peers (regular classroom) in a manner beneficial to the individual student and students in the regular classroom. The LRE is determined by the IEP team.

Legally adequate consent - Means consent given by a person when each of the following conditions has been met:

A. The person giving consent is of legal age and has not been adjudicated incompetent to manage his or her personal affairs by an appropriate court of law.
B. The person giving consent has been informed of and adequately comprehends the matters, purposes, consequences, and risks of the procedure and benefits of any alternative procedure, and the fact that withholding or withdrawal of consent shall not prejudice future provision of care and services to the recipient. Furthermore, in cases of unusual or hazardous treatment procedures, experimental research, organ transplantation, and non-therapeutic surgery, the person giving the consent has been informed of and adequately comprehends the method to be used in the proposed procedure.

C. The person giving the consent has given it voluntarily, free from coercion and undue influence.

Legal status determination - Means the establishment of whether it is a matter of record that the individual can give legally adequate consent or another person must give consent (e.g., the parent of a minor, a person properly designated by a court of competent jurisdiction).

Limited interdiction - Where incapacity is not sufficient for full interdiction - - that is, where the individual may be incapable of caring for self and property, but not both - - limited interdiction may be appropriate. This may occur in response to a petition for full interdiction or limited interdiction. A judgment of limited interdiction provides for a limited curator who possesses only those specific powers necessary to provide for the needs of the interdict; the specific power and authority are not set out in the judgment of limited interdiction. The limited interdict is not deprived of any civil right, power, or authority except as specifically removed by the court. The law requires that the rights of the limited interdict must be infringed in the least restrictive manner consistent with his incapacities. In all other respects, limited interdiction uses the same procedures and safeguards as full interdiction.

Location – In the context of providing a service under the IEP, location means the type of environment that is the appropriate place for providing services (e.g., resource room, regular classroom).

Majors - Adults, persons who are age eighteen or above.

Manifestation Determination - A manifestation determination requires the IEP team to review the possible relationship between a student's disability and the student's behavior thatmayresult in a suspension or explusion. The team must consider evaluation and diagnostic results, including data gleaned from the F.B.A. The team must also determine if the IEP and placement is appropriate, if the required program, including supplemenatry aids and services were provided, if the delineated behavioral interventions were consistently/reliably implemented as outlined in the IEP, and if the student understood his or her behavior and could control the behavior.

Maximum extent appropriate - The maximum integration of children with or without disabilities in the instructional and non-instructional setting consistent with the avoidance of harmful effects.

Medical services - Means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

Mediation - is a process that is intended to assist parent(s), school or infant learning program personnel in resolving disagreements regarding the provision of an appropriate public education for children with disabilities under Part B and Part C of the IDEA. Mediation is voluntary process agreed to by a parent and the district. Mediation may be used to resolve any dispute in the IEP process.

Minors - Persons who are under the age of eighteen.

Native language - In all direct contact with a child, including any evaluation, it means the language normally used by the child in the home/learning environment. Also for individuals with deafness/blindness/no written language, it is the mode of communication normally used, e.g., sign language, Braille, or oral communication.

Nonacademic and extracurricular services and activities - Include the following services or activities when provided by a district: counseling services, athletics, transportation, health services, recreational activities, referrals to agencies which provide assistance to persons with disabilities, assistance provided by the public agency in making outside employment available, meals, recess periods.

Nonsupplanting - Part B funds may not be used for the payment of any costs directly attributable to the provision of a free appropriate public education to children with disabilities that would have been provided to such children by other Federal funds or State and local funds.

Occupational therapy (OT) – OT services are provided by a qualified occupational therapist and include

A. Improving, developing or restoring functions impaired or lost through illness, injury, or deprivation;
B. Improving ability to perform tasks for independent functioning when functions are impaired or lost; and
C. Preventing, through early intervention, initial or further impairment or loss of function.

Orientation and mobility services – Means services provided by qualified personnel to children who are blind or who have visual impairments to enable them to attain systematic orientation to, and safe movement within their environments in school, home, work, and community. And, includes

A. Spatial and environmental concepts and use of information received by the senses (such as sound, temperature, and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);
B. To use the long cane to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision;
C. To understand and use remaining vision and distance low vision aids; and
D. Other concepts, techniques, and tools.

Outcome oriented process - Means a series of events unique to an individual student's need that lead directly to integrated employment, supported employment, post-secondary education, continuing and adult education, adult services, independent living and/or community participation.

Parent - A parent means a natural or adoptive parent of a child; a guardian, (but not the state if the child is a ward of the state); a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfaree; or a surrogate parent who has been appointed in accordance with the steps outline in this handbook.

Parent counseling and training - Means a related service that helps parents acquire the necessary skills that will allow them to support the implementation of their child's IEP.

Performance standards – Performance Standards are measurable statements of what students should know and be able to do. The State Board of Education adopted Performance Standards in reading, writing, and mathematics in January 1999. Performance standards, unlike Content Standards, can be measured with a variety of testing instruments.

Person acting as a parent - A person who with the consent of the parent is acting in the place of the parent during the parent's absence. If a person asserting that he or she is acting as a parent is not a member of the child's extended family then written consent of the parent to such an arrangement must be provided to the district.

Personal or professional bias - An interest that precludes the individual from performing required responsibilities in an objective manner.

Personally identifiable - Means that information includes:

A. The name of the child, the child's parents, or other family member;
B. The address of the child;
C. A personal identifier, such as the child's social security number or student number; or
D. A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Person-centered planning (PCP)in the secondary transition process – Person-centered planning is a process and structure that may be used in developing a student's IEP. This process can be used at any age that the team believes transition is an important part of IEP development. The process helps to blend the student's academic and behavioral goals and objectives with planning for life as an adult. The student helps direct this development using Personal Futures Planning, *MAPS*, A Good Experience, PCP worksheet, or other guide with the team

Physical therapy - Physical therapists evaluate and treat physical disability due to disease, injury, and/or birth defect, with emphasis on impairments of movement that lead to functional limitations.

Placement - The overall education environment in which special education and related services are provided to a child with a disability and includes, but is not limited to, the child's instructional placement. The term "instructional placement" means the setting or settings in which special education services are provided, not the specific classroom or teacher.

Post-school activities - Include post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation.

Post-secondary education - Means organized educational programs provided by qualified personnel which are available beyond grades 9-12. The term includes: community colleges; vocational-technical institutes; and four year colleges and universities.

Preschool developmentally delayed child - A child with a disability, age 3 through 5, who is eligible for special education.

Psychological services - Include:

A. Administering psychological and educational tests, and other assessment procedures;
B. Interpreting assessment results;
C. Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
D. Consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations;
E. Planning and managing a program of psychological services, including psychological counseling for children and parents.
F. Assisting in developing positive behavioral intervention strategies.

Public expense - The public agency either pays for the full cost of the educational service or insures that it is otherwise provided at no cost to the parent.

Public Law 105-17 – This is the federal law, The Individuals with Disabilities Education Act (IDEA) Amendments of 1997, that was enacted on June 4, 1997. PL 105-17 mandates a free and appropriate public education for all children ages 3-21 regardless of the disability.

Quality Schools Initiative (QSI) – The state of Alaska's initiative to improve learning results for ALL children to the greatest extent possible. A student's IEP goals should reflect Alaska's performance standards in reading, writing, and math to the greatest extent possible.

Record - Any information or data recorded in any medium, including, but not limited to: handwriting, print, tapes, diskettes, film, microfilm and microfiche, photographs or drawings.

Recoupment - The ability to regain or recover the level of skills attained prior to interruption of programming.

Recreation – Includes assessment of leisure function; therapeutic recreation services; recreation programs in school and community agencies; and leisure education.

Regression - A reversion to a lower level of functioning, as evidenced by a decrease in the performance level of previously attained skills that occurs as a result of an interruption in educational programming.

Regular class - A specific instructional grouping within the regular educational environment.

Regular educational environment - The regular classroom and any other instructional setting in which both regular and special education services may be provided to children with and without disabilities, but does not include a classroom or other instructional setting in which the selection of children without disabilities is based on the criterion of educational disadvantage.

Rehabilitation counseling services – Means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabiliation programs funded under the Rehabilitation Act of 1973.

Related services - Those supportive services that are required to assist a child with a disability to benefit from special education. It is important to understand that if a child does not need special education there can be no "related services" since a "related service" must be necessary for a child to benefit from special education

Some services such as transportation, seem to clearly fit within the related service category. Other services such as speech pathology, physical therapy, occupational therapy and counseling may often qualify as related services. However, if these services are the only services required for a student to learn desired skills and thus can be considered "specially designed instruction," the service may qualify as special education.

Residency - A child is a resident who physically resides within the geographic boundaries of the school district (including enrollment in a public or private school or residential facility that is geographically located within the school district).

Review and revision of the IEP - An evaluation by the IEP Team of the current accuracy and appropriateness of each of the statements or determinations called for in the development of the IEP and the actual formulation of additions, deletions or other modifications to the IEP.

School health services - Means services provided by a qualified school nurse or other qualified person.

School term - A school term begins and ends on the dates fixed by the governing body of a school district. A school term shall include not less than 180 days in session, unless with the approval of the commissioner (AS 14.03.030)

Screening - A brief procedure for identifying children who should receive a more comprehensive assessment, and may include informal, non-standardized procedures or formal, standardized procedures.

Self-sufficiency - The demonstration of independence evidenced by the ability to acquire skills commensurate with assessed potential.

Social work services in schools - Include:

A. Preparing a social or developmental history on a child with a disability.
B. Group and individual counseling with the child and family;
C. Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school.
D. Mobilizing school and community resources to enable the child to receive maximum benefit from his or her educational program.
E. Assisting in developing positive behavioral intervention strategies.

Special Education – Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability. Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the child and to ensure access of the child to the general curriculum.

Specific Learning Disability - Means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, which may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. More detailed information is contained in Part III, Section 8 of the Handbook.

Speech pathology - Includes:

A. Identification of children with speech or language impairments.
B. Diagnosis and appraisal of specific speech or language impairments.
C. Referral for medical or other professional attention necessary for the habilitation of speech or language impairments.
D. Provision of speech and language services for the habilitation or prevention of communicative impariments.

E. Counseling and guidance of parents, children, and teachers regarding speech and language impairments.

Stay put - Provision that requires the child to remain in the present program during due process proceedings unless an interim alterntive educational setting is agreed to by the parents and the district. An AES may also be designated if the student is determined to be dangerous to self or others.

Supplementary aids and services - The term supplementary aids and services means, aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with section 612(a)(5).

Supported employment - Means paid work that requires the use of designated personnel to assist individuals with disabilities in acquiring and maintaining site specific skills.

Surrogate parent - An individual who acts in place of a parent and meets the qualifications for surrogate parents.

Teacher of a child with a disability - A teacher who has an Alaska type A certificate in special education or with an endorsement in education of children with disabilities.

Transfer of rights - Means the assignment of educational rights under Part B of the IDEA 97 from parents to a student who has reached the age of majority (18 years).

Transition services - Means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation.

Transportation – Transportation is a related service that includes travel to and from school and between schools;travel in and around school buildings; and specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

Transportation units - The number of regular and specially designed buses and other vehicles used to transport children with disabilities to and from school, and between and away from school facilities and related service providers.

Travel training – The term travel training means instruction to develop an awareness of the environment in which the student lives and to learn the skills necessary to move effectively and safely in the environment (e.g., in school, home, work, and community).

Vocational education - Means a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations not designated as professionals or requiring a baccalaureate or higher degree.

Vocational training - Means providing instruction and work experience to promote the acquisition of specific job-related skills by qualified personnel.

Ward of the State - When the courts assign legal responsibility to make decisions regarding a child's education to a state agency or representative of a state agency. Some children are wards of the State solely for the purpose of care and treatment. In such cases, the parent(s) of the child maintains responsibility for participation in educational decision-making. A child who is a ward of the state is provided with a surrogate parent only when the courts have severed the parents' rights regarding educational decisions.

ACRONYMS & ABBREVIATIONS

AYI	Alaska Youth Initiative
BIP	Behavioral Intervention Plan
CAP	Corrective Action Plan
CFR	Code of Federal Regulations
CMR	Compliance Monitoring Report
CMS	Compliance Monitoring Standard
CSPD	Comprehensive System of Personnel Development
CSSO	Chief State School Officer
EDGAR	Education Department General Administrative Regulations
EED	Department of Education and Early Development
ESY	Extended School Year
FAPE	Free Appropriate Public Education
FBA	Functional Behavior Assessment
FERPA	Family Educational Rights and Privacy Act
FY	Fiscal Year
IAES	Interim Alternative Educational Setting
IEE	Independent Education Evaluation

IEP	Individualized Education Program
IDEA-B	Individuals with Disabilities Act - Part B
IFSP	Individual Family Service Plan
IEU	Intermediate Education Unit
IG	Inspector General
LEA	Local Education Agency
LRE	Least Restrictive Environment
NOI	Notice of Interpretation
NPRM	Notice of Proposed Rule Making
OCR	Office for Civil Rights, U.S. Department of Education
OSEP	Office of Special Education Programs, U.S. Department of Education
OSERS	Office of Special Education and Rehabilitative Services, U.S. Department of Education
OT	Occupational Therapist
PAR	Program Administrative Review
PL	Public Law
PT	Physical Therapist
Regs	Regulations
RRC	Regional Resource Center

SEA	State Education Agency
SESA	Special Education Service Agency
SOP	State Operated Program
SSP	State Supported Program

RESOURCE LISTING

Federal

U.S. Dept. of Education
400 Maryland Avenue, SW
Washington, D.C. 20202
1-800-USA-LEARN
WWW.ed.gov

Office of Special Education Programs
330 C St., SW
Washington, D.C. 20202
(202) 205-5507
www.ed.gov/offices/OSERS/OSEP/index.html#IDEA'97

State

Alaska Dept. of Education & Early Development (EED)
Special Education Programs
801 W. 10th St., Suite 200
Juneau, AK 99801
(907) 465-8702
www.educ.state.ak.us/tls/sped

Alaska Dept. of Vocational Rehabilitation (DVR)
801 W. 10th St.,
Juneau, AK 99801-1894
(907) 465-2814 (phone/TDD)
www.labor.state.ak.us/

Alaska Special Education Mediation Services
(T&G Consulting)
3180 Indian Cove Dr.
Juneau, AK 99801
1-800-580-2209
Contact: Dave Thomas

Alaska Transition Initiative (ATI)
UAA: University Affiliated Program
2210 Arca Drive
Anchorage, AK 99508
(907) 272-8270

Alaska Youth Initiative (AYI)
Division of Mental Health and Developmental Disabilities
Box 110620
Juneau, AK 99811
(907) 465-3370; (800) 465-4828
(907) 465-2225 (TDD)

Governor's Council on Disabilities and Special Education
P.O. Box 240249
Anchorage, AK 99524-0249
(907) 269-8990 (Voice/TDD)

Advocacy/Support

Disability Law Center of Alaska
615 East 82nd, Suite 101
Anchorage, AK 99518

P.A.R.E.N.T.S., Inc.
Anchorage Parent Resource Center
4743 E. Northern Lights Blvd.
Anchorage, AK 99508
(907) 337-7678; Toll-Free in Alaska: 1-800-478-7678
www.parentsinc.org
(excellent site for links to other resources)

Technical Assistance

Special Education Service Agency (SESA)
2217 E. Tudor Road, Suite 1
Anchorage, AK 99507
(907) 562-7372

Western Regional Resource Center
College of Education
1268 University of Oregon
Eugene, OR 97403
(541) 346-5641
http://interact.uoregon.edu/wrrc/wrrc.html
(excellent site for links to other resources)